

LONDON IN DANGER

Of a Visitation of the Dreadful Scourge of Cholera.

TWO PATIENTS DIE AT GRAVESEND.

Passengers of the Infected Vessel in the Metropolis.

SCATTERING THE GERMS OF THE DISEASE

Physicians Say an Outbreak is Inevitable. The Authorities Actively at Work. The Report from Russia.

London, August 26.—(Copyright by The New York Associated Press.)—The officials of the local government board charged to watch the progress of the cholera, are tonight less confident of the metropolis escaping a visitation of the disease. The gravesend cases are undoubtedly cases of Asiatic cholera. The medical officers, who inspected the steamer Genina, from which cholera-stricken passengers were landed, permitted a number of other passengers to proceed to London under the excuse that they had not been in contact with that part of the vessel where the infection showed itself. To assuage alarm, the authorities allege that precautions were taken to disinfect the passengers, but this statement, which has only been made since the character of the disease declared itself, is discredited.

An outbreak inevitable. With the cholera at Gravesend and infected persons probably roaming about in our midst, some outbreak of the disease in London is considered inevitable. The port of London is not properly watched. The sanitary committee has applied for a vast increase in its staff, otherwise it cannot undertake the surveillance of ships entering the Thames from infected continental ports. But on the Thames a cordon will suffice to shut out danger of infection. A stream of arrivals from the continent comes via Harwich, Southampton and other ports by train without inspection. Railways and steamship companies, excepting the trans-Atlantic lines, show no intention of suspending their ordinary arrangements.

In spite of the setting up of a quarantine in foreign ports, traffic will continue, making the supervision of the Thames almost valueless. The authorities expect an outbreak and are preparing to meet it. Never was the slum districts so pestered by contamination of the health board. The water is bad. In the East End where the last epidemic was that of 1886, which killed 16,000 persons in a few weeks, the water supply has been tested and found to be of doubtful quality, and changes have been ordered in the filtering apparatus. The people of South London have been warned that their water is a source of danger. A feature of the crisis is the energy with which the local authorities in every district are working to forestall the danger. Withal there is not the slightest panic evident. Chances of a visitation will diminish as the weather cools, and public confidence in the sanitary arrangements and the vigilance of the authorities is absolute.

The Report from Antwerp. Antwerp, August 26.—Cholera seems to be at a standstill here. No new cases have been reported since yesterday morning. The Vossische Zeitung asserts that before Professor Koch left Hamburg he telegraphed to the sanitary board that the cholera was in that city, and despite every effort of the authorities to check its increasing, over six hundred cases of the disease were reported and nearly three hundred proved fatal.

Increasing in Russia. St. Petersburg, August 26.—Cholera returns yesterday show another upward jump in the number of new cases reported. On Wednesday 5,670 new cases were reported. The death figures also show an increase. Yesterday there were 2,977 deaths reported against 2,743 for Wednesday. In St. Petersburg there were reported yesterday 103 new cases and twenty-four deaths.

Twelve Deaths in Berlin. Berlin, August 26.—This afternoon a woman became suddenly ill in an omnibus and was taken to the central railway station and thence to Moabit hospital, where she was pronounced to be suffering from Asiatic cholera. Authorities have ordered that the woman's lodgings and the central railway station be disinfected and the omnibus stopped.

The municipal sanitary commission has decided that Moabit hospital shall be reserved for cholera patients. All second-hand clothing dealing has been ordered stopped. A workman on a train was seized with Asiatic cholera today at Wittenberg, on the Hamburg-Berlin railway, and died in a few hours. Twenty-eight new cases of cholera and twelve deaths have been reported in all tonight since yesterday noon. An artisan has died of Asiatic cholera in Penneberg, and a child belonging to a lady from Hamburg has died of the same disease in Kiel.

All on Board Sick. Rotterdam, August 26.—The steamer Jason from Hamburg, which today arrived at Massilia, ten miles west of this city, had several cases of Asiatic cholera aboard and was put into quarantine. Six of the crew were down with the disease and two were dead.

Brussels, August 26.—A woman has died of cholera.

In This Country. How the News Is Received and the Precautions Being Taken.

New York, August 26.—Two steamships from Europe arrived here this morning, the White Star liner Germanic from Liverpool and the Werkendam from Rotterdam. Neither was detained at quarantine beyond the time required for careful examination.

The announcement to the passengers of cholera abroad caused considerable excitement. The saloon passengers were first attended to. An examination of the immigrants was more carefully conducted than that of the saloon passengers, but no case of sickness of any kind was found. The Germanic was accordingly passed. The same care was exercised in the ex-

amination of the Werkendam's passengers and with the same result. Immigrant passengers of both ships were landed at Ellis Island this morning, where they were again subjected to a careful examination. Several men and women were detained for examination from both ships, but it is expected that they will be released before night.

Rigid Sanitary Regulations. The board of health today issued an order providing for the sanitary inspection of the city. Directions were given to have closets, sinks, yards, tenement houses, roofs and pipes thoroughly cleaned and disinfected. A new order was issued to steamship companies, directing that no exposure of any straw, bedding or other articles used by immigrants shall be made until it has been adequately disinfected and cleaned, and that where it has been exposed to any contagious disease, it shall be burned on the vessel. Sanitary Superintendent Edson said that he had visited the quarantine and found that every precaution was taken to prevent the incoming of the disease.

"It will be a miracle," said Dr. Edson, "if the disease does not reach the quarantine, but we will undertake to see that it will not pass there and expect to be successful."

No More Lieber's Risk. Washington, August 26.—In accordance with the recommendations of the marine hospital service the collector of customs at New York has been directed to refuse to allow the entry of horses root coming from the infected district in Russia, and the cholera has been prevailing in that city in epidemic form during the present season.

Somehow Alarmed. Officials of the government having charge of the enforcement of quarantine laws are unquestionably much concerned over the serious hold the epidemic of cholera has taken in Europe, and view the situation, as regards the admission of the disease into the United States, with some alarm, though they feel fully prepared to cope with it in case by any chance cholera should become epidemic here, being never so far from being able now than since its establishment to prevent the entrance of the disease into the United States.

Officially the methods and systems of the quarantine have been greatly improved, and at all stations along our seaboard new disinfecting apparatus, boarding, steaming and other appliances have been added to detect and prevent the disease from being brought into this country by vessels from abroad.

An official of the service, in comparing the methods of quarantine in our country and those of England, spoke of ours as by far better. England, he said, did not believe in quarantine, as it too greatly interfered with commerce, and that country everything was made subservient to commerce. The English quarantine system varied from ours in that the English do not detain persons coming from an infected country, but let them proceed to their destination, keeping them, however, under surveillance until the danger of contagion is passed.

On the other hand, our system provides for the detention of all vessels coming from a country where a disease has become epidemic until all possible danger is averted. In the case of the two cholera-stricken patients found in England today was pointed out as an example of danger which might arise through the operations of the English quarantine system, a thing which could never occur here, in the opinion of Surgeon General Wyman, owing to the nature of our laws, requiring detention for two or three days of vessels coming from infected countries.

Surgeon General Wyman has taken every step thought to be necessary to prevent a case of cholera making its appearance in this country, and has strengthened the service in every way possible.

Appealing to the President. Indianapolis, August 26.—The possibility of cholera reaching the American shores has become so alarming that the executive committee of the international conference of the state boards of health, meeting today to take precautionary measures. The committee is not an executive body but it is a part of its duty on an occasion like this to take the initiative in recommending to local, state and national officials, and boards of health what should be done.

A telegram was sent to Dr. Reilly, secretary of the Illinois state board of health, who has been active in advising that precautionary measures be taken, praying him to set on foot a movement to secure the cooperation of commercial clubs, boards of trade, congressmen and any and all bodies with influence with a request to the president to stop all immigration to this country from infected countries during the period of the epidemic. It was the opinion of the committee that the president should exercise such power.

A quarantine inspection commission was appointed by the conference to inspect all ports of the United States, Canada, Mexico and Central America. This commission is to report to the international board.

Boston Is Wide Awake. Boston, August 26.—The steamer Kherweder from Hamburg was boarded by a port physician when she reached the quarantine this morning. She had seventy passengers, all of whom, with their baggage, were transferred to Galloupe island, where the passengers will be cleaned and their clothing and baggage fumigated. The captain of the steamer reported that there had been no sickness whatever on board and she was allowed to proceed.

Report from Hamburg and Havre. Hamburg, August 26.—The authorities have issued orders forbidding citizens of this city to drink water from the Elbe unless it has been previously boiled. Bathing along the river has also been closed. The police will make a house to house inspection to insure their being clean, and to enforce sanitary measures wherever they are required. A special corps has been organized to disinfect houses infected with the cholera. A socialist paper, the Reb, advises workmen not to become alarmed, and to remain perfectly quiet. Up to noon Thursday there were ninety new cases and forty-five deaths.

Havre, August 26.—Yesterday there were forty-eight new cases and twenty-one deaths.

POLITICAL NOTES. General Stevenson will speak at Sedalia, Mo., August 30th. Herdon, K., September 24th, and at six Indiana towns before September 16th, while at Asheville he begins his North Carolina speeches.

Gaston A. Robins, of St. Louis, has been nominated for the fourth district of Alabama. The prohibition state convention of Washington, held at Seattle, closed yesterday.

The third party of the tenth district of Virginia took nomination. J. Mott Robertson, of Appomattox county, for congress. The republicans of the ninth district nominated Major H. Dickinson Wood.

Tom M. Dickinson, chairman of the democratic campaign committee, left New York last night to spend today and Sunday at Russell's Bay, the guest of Mr. Cleveland, and to consult him in regard to the western campaign.

Daniel Dougherty, the celebrated lawyer and orator of Philadelphia is in a very critical condition and not expected to live.

BUD LINDSAY'S LIFE

Again Saved, This Time by General Carnes' Promptness.

THE SOLDIER BOYS HAD HIM

And They Were Going to Let Daylight Through His Body.

THE TRIALS WERE SUDDENLY ENDED.

Monroe, the Leader, Held Without Bail. Other Suspects, Including Lindsay, Permitted to Give Bond.

Coal Creek, Tenn., August 26.—(Special.)—The trials of the prisoners have come to a sudden termination. Since yesterday the trial of D. B. Monroe has been in progress before Justice Kincaid, of Clinton. Many witnesses were examined and much damaging evidence adduced. The proof shows that there was an oath-bound organization, and these men were numbered and did not go by names. Yet there is scarcely a name about Coal Creek or Oliver Springs who does not know who was in the various mobs. They know positively each from their respective neighborhood, but on the witness stand they had the most defective memory; but sufficient evidence was found against Monroe as a leader to send him to the gallows. When the evidence was in H. B. Lindsay, United States attorney for the eastern district of Tennessee, made a short talk, claiming that there was a conspiracy to do away with the witnesses. The prosecution quoted the law showing that any man with guns or other deadly weapons who was actively taking part in a mob which caused death was guilty of murder in the first degree. Justice Kincaid decided the case was not bailable, and remanded Monroe to jail to await trial.

Another arrest, superintendent of Lindsay. There are a large number of other prisoners. They became panic stricken at once, and waived the court under the advice of the attorneys. Bud Lindsay was allowed bail in the sum of \$5,000, which his brother furnished. The others who gave bond were:

George E. Irish, \$2,000; Robert Smith, \$2,000; Creed O'Dell, Joe Rodgers, Jacob Sumner, Dr. J. G. Adkins, Dr. J. M. McFerrin, William Edwards, E. R. Laughter, John F. Welterford, Dr. R. B. Adkins and J. E. Hightower, \$1,000 each. Nearly all of the other 150 prisoners also waived examination and are trying to secure bonds. Much dissatisfaction was created among the troops at letting Bud Lindsay out on bail. Soon this dissatisfaction grew to subdued threats of lynching. Groups of soldiers gathered about near the hotel where Lindsay kept himself concealed, and it was quite evident that he was in mortal fear of the militia. As the word was passed around that the desperado intended to leave on the evening train those crowds of soldiers became larger and larger. As the train pulled in at 4 o'clock Lindsay, accompanied by his brother and several friends, appeared, walked across the street to the depot and boarded the train. Just as the train pulled out and Lindsay was entering the car two soldiers, who entered the car from the other end to pull him off, approached him and said:

"Here, we want you to get off this train." "The points of two bayonets pressing against his breast convinced the outlaw that he did not want to leave Coal Creek on that train, and with the two men close behind him he stepped down to the ground. As the train pulled out the 200 soldiers conducted him down the railroad with the determination of taking him out of town and shooting him.

Carnes to the Rescue. Just at this moment word reached General Carnes at headquarters of this affair that the outlaw had been let off on bail.

General Carnes took the giant desperado from the guardhouse and said to him: "You are safe; go where you please; I pledge you my protection and that means the protection of my men. I give you my word of honor that you will not be molested."

When, after giving some orders to his staff in regard to investigation of the affair, the general mounted the steps of the car and said: "My men, do you know that this man has been bailed by the civil authorities and that he has as much right to go freely about these streets as any of us? I did not come here to command a mob; I came here to put down just such lawlessness as you were about to perpetrate and by God, I'll shoot the first soldier who molests that man. I have given him my word of honor that he shall go in safety and I know that the men I command will not see him humiliated, will not break my word of honor. Go to your tents."

The men obeyed. The prompt action of General Carnes saved the life of a miserable coward and Lindsay, in company with Deputy Sheriff Edwards, went to the house of his brother, from which he afterwards escaped on foot to the woods.

Notes from the Camp. Another sensation occurred tonight when the train which, with two companies of troops, left here yesterday for Oliver Springs to capture miners, returned with sixty-one prisoners. One hundred and fifty miners had been captured at Oliver Springs by the squad, all of whom were examined and all but sixty-one turned loose. There is enough evidence against this number to convict every one of them.

"Will Allen Dromgold," the novelist, is the guest of the boys at Fort Anderson. She is here gathering material for her new book, "A Band of Heroes."

A detachment under Lieutenant Ely went to Pioneer this morning. They have pressed into the service horses and the last heard from them they were going across the mountains for the trail of Eugene Merrill, one of the leaders of the trouble last year, as well as the present riots.

Monroe was taken to Knoxville at 5:30 o'clock p. m. and lodged in jail. He refused to be interviewed.

BASELESS LIES. In What Mr. Cleveland Brands Certain Statements.

Chattanooga, Tenn., August 26.—Michael Shelley, a merchant in this city, got into a quarrel recently on national politics with a republican neighbor, who asserted that "during Cleveland's administration, he (Cleveland) permitted Land Commissioner A. J. Sparks to turn out 20,000 families from their

homes in Minnesota and other northwestern states." Mr. Shelley addressed a letter to Mr. Cleveland on the subject and received the following reply today:

(Editorial.) Gray Ables, Buzzards Bay, Mass., August 22, 1892.—Mr. Shelley, Chattanooga, Tenn. My Dear Sir: Your letter of the 20th inst. is at hand. I have to reply to you that I have not the least idea what your worthy friend meant when he declared that I had been a medium through which 20,000 families were made homeless and had lost their all fighting for their rights. I am perfectly aware that I have been the means of saving the homes of some of my countrymen and have tried very hard to make the truth known to the people.

I am amazed at receiving from the southern country letters containing charges like that which you bring to my attention. I am surprised, first at the ignorance necessary to their concoction and the semblance of foundation. I am more amazed that with my record in the people of this country such charges should be deemed sufficient arguments to prejudice me, and the cause which I for the true friend of the people of the southern people. Very truly yours,

"GROVER CLEVELAND."

A NEWSPAPER ROW. The New York Sun Investigates The World's Cable Interviews.

New York, August 26.—The business of collecting in New York and selling foreign telegrams to a fraudulent character has long been a source of annoyance to every news organization in the country, whose efforts were hampered by considerations of honesty and integrity. No amount of ingenuity, no reasonable expenditure of money and no influence, however mighty, could, for example, secure interviews with men such as Schiapelli and Kismant. The former has referred all inquiries to his article of 1888 and simply said he had made no new discoveries concerning Mars since that publication. Bismarck talks only when he wishes and generally to the editor of The Hamburger Nachrichten.

In the face of these conditions The New York World published on August 5th what purported to be an interview with Schiapelli, which it disseminated broadcast. The New York Sun immediately pronounced the interview a fraud, and it went back to an alleged interview with Bismarck, printed in the World on July 12th, and stamping that also as bogus, offered to give \$1,000 to the Tribune's fresh air fund if it would satisfy Donald Nicholson, editor of the Tribune, that either the Schiapelli or Bismarck interview was genuine. Two representatives of The World called on Mr. Nicholson and flourished some forms of the French cable company on which there was nothing. Mr. Nicholson declined to decide the question, but The World claimed it had proven its case and began to clamor for The Sun's \$1,000.

At this point The Sun reversed its position with its office in London, and as so many copies of The World containing the bogus interviews could be delivered into the hands of The Sun's representatives, Mr. Nicholson intended to publish on his own what he had written. Mr. Nicholson declined to decide the question, but The World claimed it had proven its case and began to clamor for The Sun's \$1,000.

Dr. Hoffman also had never heard of The New York World, and said, emphatically, that the use of his name in the matter was absolutely fraudulent. A terrible panic, however, in the investigation, which proved conclusively the bogus character of both interviews, it came to the surface that after the interview with Schiapelli, which was published in the World, the editor of The New York World, and when asked if he would point out the inaccuracies in the fabrication he said it would require the writing of a pamphlet to do so. The editor of The New York World, and when asked if he would point out the inaccuracies in the fabrication he said it would require the writing of a pamphlet to do so.

BURIED IN A MINE. Terrible Explosion in an English Pit—Over a Hundred Lives Lost.

London, August 26.—A fearful mining accident occurred this morning at Parkship coal pit, near Bridgend, a mining town in Glamorgan county, Wales. The day shift of miners had not been long in the mine before a most terrible explosion was heard. The day shift comprised 150 men and their relatives and friends rushed to the pit's mouth to learn the extent of the disaster. The explosion had caused the earth and rock to fall and the mouth of the pit was closed. Not a single man of the 150 in the mine had made his escape and it is feared that there has been a great loss of life. Hundreds of miners in the vicinity have volunteered their services and the work of clearing the pit's mouth is being pushed as rapidly as circumstances will permit. All around the pit are gathered women and children hoping for the best, yet expecting the worst. The mine officials hold out all the hope possible, but believe that there is much hope.

Evening-A dispatch from Bridgend says: Though volunteers have been working since morning, it is still impossible to reach the miners who are imprisoned in the Parkship pit. From indications it is believed that the whole interior of the pit was set on fire by the explosion and that the flames are still raging.

At 6 o'clock the rescuing party brought up two men found near the bottom of the pit. They were badly burned and unconscious.

DEMOCRATIC CLUBS. Additional Appointments on the Executive Committee—The New Boston.

Washington, August 26.—(Special.)—At its last meeting the general committee of the Association of Democratic Clubs authorized an increase in the executive committee by the addition of five members. Mr. Lawrence Gardner, secretary of the national association, today announced the appointment of the following gentlemen to the executive committee: John L. Sharpsteen, Walla Walla, Washington; C. C. Richards, Ogden, Utah; Benton McMillin, Carthage, Tenn.; N. W. McIver, Cedar Rapids, Iowa; and Robert Smith, Helena, Montana.

Hon. William L. Wilson, of West Virginia, chairman of the executive committee, will call that body together in New York in a few days.

A new design for the official button of the National Association of Democratic Clubs has been adopted, and the manufacture of the usually handsome, being made entirely of white celluloid, with a portrait in colors of Thomas Jefferson on the face of the button. Above the portrait are the initials letters of the organization, "N. A. D. C."

WENT DOWN IN A STORM. A Millionaire's Yacht Sinks—All on Board Perish Save Two.

Edinburg, Mich., August 26.—The steam yacht Wapiti went down in a storm this afternoon. George Sherman, cook on board the yacht, telegraphed from Ollingwood, Ont., today: Boat wrecked. Two of us saved. All the rest drowned. The Wapiti left here about ten days ago on a cruise up the lakes. She had on board W. S. Shiley, the late Miriam Shiley, the millionaire capitalist of New York, his wife, son, daughter and two lady friends, Miss M. F. S. and Miss F. W. Durbin, of Rochester, N. Y. The crew was composed of Captain Eldridge and Engineer Walker A. Henry, Jerome O'Brien, deck hands, firemen, stokers, and George Sherman, cook.

A WILD SCENE

At the Hanging in Fannin County Yesterday.

THE CROWD SEIZED WITH PANIC

As They Saw the Doomed Man Drop to the Ground.

THE FIRST ATTEMPT UNSUCCESSFUL

As the Rope Broke—The Terrible Experience of Edward Green Upon the Day of His Death.

Blue Ridge, Ga., August 26.—(Special.) Fannin county had her first public hanging today. It was that of Edmond Green for the murder of William O. Keener on August 12, 1890.

The hanging was highly sensational throughout. Twice it was necessary to let Green drop through the deadly trap, and this fact, accompanied as it was, by a wild panic, made the affair probably the most sensational hanging Georgia has known.

Bob and Jake Carter, brothers, and Anil and Edmond Green, cousins, on the morning of the 12th of August, 1890, secreted themselves behind a clay root near Keener's field to wait for his coming. They only waited a short time when they saw their man at work with his blade cutting grass.

As he approached they prepared to make the deadly work they had undertaken, and when about thirty steps from them they fired. At the report of their guns he fell, but rose and started home, when they jumped into the field and caught him. Keener begged for his life, even for a few minutes to pray, but they would not grant him a moment's time, but with guns and pistols they shot him like a dog and left him dead.

Found by His Wife. The murderers, making sure that their man was dead, fled, leaving the terribly mutilated body in the field.

There it was found the next day by the wife of the murdered man. Keener's home was about a mile and a half from the scene of the murder. He was an industrious, hard-working man, and had a wife and several small children. Alarmed at the absence of her husband, Mrs. Keener waited all night long. Then early the next morning she started out to find what had become of him.

She went to the field where he had gone to work and there she learned the terrible truth. For several months the murder was a mystery, but murder will out, and by degrees the guilty ones were arrested, with the exception of Jake Carter, who has never been caught. Bob Carter turned state's evidence and was released. Edmond and Anil Green were tried and found guilty, with a recommendation for mercy for Anil Green. Edmond Green's attorney succeeded in getting a new trial, but with a like result. His case was murder in the first degree. He was resentenced to be hung on the 24th of June, but for sufficient reasons Governor Northing respited him for sixty days.

Green Was Smiling. His time having expired today, he was publicly executed today, about three-fourths of a mile from the Fannin county courthouse.

At 1:20 o'clock, Sheriff Ross and posse arrived with Green. He was perfectly calm all the way through. He said today was the happiest day in his life. He was smiling as he walked up to the scaffold.

Rev. Atkinson stated that Green wanted him to tell the crowd to beware of bad company and not to have evil companions.

After singing a few songs and prayer the rope was placed around his neck and the black cap put on. At 2:25 o'clock the trigger was pulled. As Edmond Green's body fell through the trap the rope broke and the doomed man was precipitated to the ground. Officers rushed to him, but he was stunned and made no effort to escape.

But a strange thing happened right here. At the spectacle the crowd of at least four thousand stamped. A strange force seemed to seize them and with one impulse they endeavored to get away from the scene. In the crush a number of people were more or less injured, but so far as can be learned, nobody seriously.

Finally order was restored. Then it was found that over twenty-five hundred people had fled precipitately and were gone.

This Time Successful. At 3:40 o'clock the rope was again placed around his neck and the trigger pulled. This time the body was swinging in the air until he was pronounced dead.

This hanging will be a memorable one in Fannin's history.

THE SKULLS PHOTOGRAPHED. Testimony in the Borden Murder Trial in Fall River.

Fall River, Mass., August 26.—The character of the crowd in the district courtroom this morning at the resumption of the Borden hearing, was materially different from that of yesterday. Men were more plentiful, and women correspondingly scarce. The prisoner and her friends came in unattended, except by the city marshal.

Dr. Dolan's examination was resumed. No testimony of a positive nature was secured. The witness in Mrs. Borden's behalf, Dr. Dolan, testified, was first discovered at the autopsy held in Oak Grove cemetery. Then came the most gruesome part of the testimony yet given, and while it was going on, Miss Lizzie and Miss Emma closed their eyes and flushed, and showed much feeling. The witness said the bodies have been disinterred. The skulls were removed from the bodies by the instructions of the attorney general. The skulls were cleaned and the bodies are now buried without heads. The skulls were photographed, and a member of the Borden family was informed of the removal and the photographing of the skulls, as far as the witness knew.

HANNER IS GUILTY. The Man Who Assassinated His Mother-in-Law Has Been Convicted.

Madison, Ga., August 26.—(Special.)—M. J. Hanner, who has been in jail charged with assault with intent to murder his mother-in-law, Mrs. Annie Pulley, was today tried and convicted in the Morgan superior court. He has not yet been sentenced.

The crime was one that created a great deal of feeling here and in Rutledge, but the courts of justice will measure the punishment. Hanner went to Mrs. Pulley's home near Rutledge and tried to kill her by suffocating her with a pillow. She changed her mind and ran away.

WAR IN SOUTH AMERICA.

Government Forces Whip the Revolutionists at Ciudad—A Fight Near Villa de Cura.

New York, August 26.—The steamship Caracas brings confirmation and particulars of the battle fought at Ciudad, news of which was received by telegraph and mailed in a large number of killed and wounded. The government forces were commanded by General Careras and the revolutionists were under the leadership of General Guerra. Careras had several hundred men, while the revolutionists numbered about eleven hundred, but they were inferior in arms and discipline. The battle opened outside of the town, when General Careras caused a charge to be made on the enemy. The revolutionists stood their ground firmly and suffered considerable loss. The soldiers of Careras were repulsed and fell back, carrying their wounded. After a short rest the troops re-formed and again attacked the rebels. Careras rode at the head of his men and urged them on. He was cut off from the main body of his little army and, with a half dozen of his men, found himself surrounded by a large number of the enemy. He fought for his life as stubbornly as he could, but was finally knocked off his horse and killed. The government forces then rallied and forced the rebels to retreat.

Battle in Venezuela. The Venezuelan consul's advices from the government at Caracas also contain details of an important and bloody battle that took place August 16th near Villa de Cura in which 1,500 people are said to have been killed or wounded. General Mendoza was at Villa de Cura with a large force. General Valenzuela had concentrated 2,000 men some distance from him. General Mendoza is considered the bravest and ablest of the Venezuelan generals. He planned to lead the revolutionists under Valenzuela into ambush and destroy them. For this purpose he sent 800 men under command of General Zola to march upon the rebels with instructions to apparently offer the enemy battle. When they commenced the fight the government troops were to slowly retreat and draw the enemy on until the main army appeared, when a general onslaught was to be made and the revolutionary army destroyed. General Zola drew near to force the revolutionists and was attacked. Their fire told with great effect and the governor general fell dead. Without a leader his troops forgot their instructions, and enraged at the death of their commander, returned the fire on the enemy and a hot battle was waged. Eight hundred men found themselves opposed by 2,000, but they fought desperately. The revolutionists had several field pieces and these raked the men. The battle continued for several hours with varying success. The modern rifle and better training of the government troops produced a great loss on the other side. The latter saw after a time that the battle was going against them and tried to cut their way out. Both sides, however, were too exhausted to fight and fought furiously. The dead lay on all sides and the wounded were trampled on as the conflict changed from place to place. Late in the afternoon remnants of the government army succeeded in getting through the lines of the enemy. They beat a hasty retreat and the revolutionists were too weak to pursue them. It was then discovered that 500 of the 800 men had been killed and the government estimated that the revolutionists had lost 1,000 men. The consul further stated that General Urdaneta had gone to Caracas to report to the president. President Villagran is a very old man and rather sickly. He is soon going to Europe for the benefit of his health and General Urdaneta will act in his absence.

JOHN SIBLEY PRESIDED. And Cobb's Third Party Made Its Nomination.

Marletta, Ga., August 26.—(Special.)—The third party mass meeting for Cobb county was held today at the courthouse and their two candidates for the legislature were nominated—C. W. McMillen, of Acworth, and George Withers, of Marietta.

The meeting was called to order by J. D. Perkins, chairman of the county executive committee. The courthouse was about half filled with people. By actual count 170 party men and spectators were present, among whom were many democrats, who had come up to watch the proceedings.

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Resolutions were introduced deploring the condition of the country, endorsing the party platform, and recommending for state offices and other third party purposes, and one requesting James B. Barrett, their candidate for congress, to accept the nomination to address the people here on September 8th.

A significant fact in the convention was the voting down by a large majority of an amendment to have a joint discussion between democrats and third party people on that day. John Sibley announced that he and Colonel Joe James had already arranged to have a joint debate here on that day, and they would do so anyway, no matter what they did with the vote.

The democrats felt quite confident of an easy victory over their opponents, as in the democratic primary over fourteen hundred votes were polled.

BARON HIRSCH IS COMING. He Will Visit America During the Month of September.

Baron Hirsch, who is perhaps the most liberal and philanthropic Hebrew living, will visit Atlanta in a few weeks.

He will sail from France about the middle of next September.

The purpose of his visit is to further and promote the plans he has in view for assisting the persecuted and unfortunate members of his race. There are many Russian Jews in the country and especially a large number in Atlanta. They have flocked to the city during the past year, and many of them are in straitened circumstances. It is principally the object of Baron Hirsch to benefit the Jews who have thus been driven from their homes by the tyranny of Russian despotism.

It is known that the baron while visiting America will find it convenient to stop over in Atlanta. A committee has been appointed by Mr. Levi Cohen, in behalf of the Jewish synagogues for the purpose of entertaining him while he is in the city. The committee is composed of Messrs. Levi Cohen, chairman, S. Landauer, Jacob Haas and Isidor Liebman. Other committees will be appointed from the different organizations of the city and the chairman of the general committee is Mr. Aaron Haas.

This business will render him a cordial invitation and a special delegation will go on to New York for the purpose of urging him to make the visit.

Atlanta will give him a cordial welcome and his stay in the city will no doubt be thoroughly pleasant.

Says Iron Hall Is Good. Philadelphia, August 26.—Supreme Justice McPherson, of the Iron Hall, returned here tonight. He said in his opinion Iron Hall is as sound as any institution in the country. He advised that the Iron Hall should be kept open and honest. There was no occasion for its closure.

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IN THE TENTH.

The Great Truths of Democracy Proclaimed in Warren.

CONGRESSMAN MOSES AND COLONEL HAM

Are Making Things Decidedly Lively in Tom Watson's Ballroom—Tearing Watson to Pieces Everywhere.

Warrenton, Ga., August 26.—(Special.)—Charles Moses and the inimitable Ham are stirring up the democracy of the old tenth district until the people are surprised themselves with their own enthusiasm. Moses and Ham spoke here today and Major Black tapered off the meeting with a two-minute's speech. There were about twelve hundred people to hear them. Two hundred were negroes. When the meeting opened many third party men were in the audience, most of the negroes having third party inclinations, but when the speaking was over there were no third party people. The whites were convinced that they had been chasing a will-o'-the-wisp and returned to the democratic fold, while the negroes recognized that there was nothing in the third party for them.

Congressman Moses made a splendid speech. He showed Watson up in a light that the people have never imagined. He demonstrated to them that Watson had deceived them. He did it by taking up his speech item by item and proving by the records that nine-tenths of his statements were either overdrawn, perverted or false. Mr. Moses gave a pure, ringing, democratic speech, chock full of facts, and put them in a style which enthused his audience and kept them applauding throughout.

Colonel Ham followed in a fund of facts and arguments, showing up the fallacies of the third party platform and teachings, these illustrated with scores of anecdotes which brought his arguments right home to his hearers.

It was a great day for Black and the democracy, and while Warren has heretofore been conceded to the third party, it is no longer so.

Moses's Hot Shot.

Colonel Moses was the first speaker. After an introductory eulogy of democracy, and showing up the fallacy of the third party claims, Mr. Moses took up Mr. Watson's Thompson speech and said that everything in it was either untrue or only half true. He proved it by item by item and demonstrated its falsity in almost every particular.

In the first place, he took up Watson's appeal to the negro, ridiculing it to the great amusement of the negroes in the audience. Watson had made a great boast of having sent garden seeds to the negroes. "In there one in this audience," he asked, "who ever received a seed from him?"

All answered, "No." "Of course you haven't. He only sent them to a few of our leaders whom he wanted to make speeches for him. Watson thought perhaps he could buy your votes with garden seeds, but yet James Simpson, the man he holds up to you above all democrats, says the old government seed are no account. They will not come up. He boasted of his having sent seeds to you. Now let all the white men here who received seed hold up their hands."

But three hands went up.

"But three. That is simply an evidence of his boasts."

"If Watson had announced he was not a democrat when he ran for congress two years ago he would never have been there. Since Georgia threw off republican rule she has never elected any man who did not proclaim himself a democrat, and I don't believe she ever will."

Watson's Efforts to Create Prejudice.

"Now Watson says the democrats make the country people pay the greatest part of the taxes, that we discriminate in favor of the city people under democratic rule. The city of Augusta pays into the state treasury \$45,000, more than all the other ten counties of the tenth district. Watson is also trying to array our classes against each other. The man in Georgia who tries to array one class against another is an enemy to his country, his people and his God. The county of Warren receives more from the state treasury than it pays in taxes. Yet some of you are going to vote against Northern because Watson tells you you can't get your rights unless you go with him."

A negro in the audience asked who gave the money to educate the negroes, the democrats or the republicans? Mr. Watson has been weeping for these Homestead laborers, and do you know what they get? They receive from seventy to two hundred and ninety dollars a month. He had better be weeping for some of you who are working for \$10 a month. Mr. Watson wants to give the men \$5 a day who work on public works and allow them to work but eight hours a day, when you have to work twelve hours a day to pay taxes to pay these men. Now Mr. Watson says he wants that hundred million in the treasury put in circulation. How are we going to do it without making the appropriations of \$100,000,000 more? And yet he is crying about the appropriations of this congress."

Tom Watson's Desertion.

He proceeded to read Mr. Watson for his desertion of his party. No man has the right to accept a commission from one party and execute it in the interest of another, he said. He went there and tried to beat out the ruins of the party which elected him. Tom Watson has not only deserted his party, but he has destroyed the alliance in Georgia. Since Tom Watson has been your leader the Farmers' Alliance in Georgia has fallen off from 65,000 to 16,000.

"I am a farmer," said he, "and I say no little lawyer who do not believe ever followed a mule shall lead me. Here is this man talking about foreign corporations coming into our state and owning our lands. Has he not been aiding them? Was he not the agent of a banking company, and did he not get some of the profits that this company took from our poor farmers?"

He spoke of Watson fighting Livingston and said Watson would never rise in hell than live in heaven. He told of the division among the people's party men

DR. PRICE'S DELICIOUS Favoring Extracts

NATURAL FRUIT FLAVORS.

Vanilla - Of perfect purity. Lemon - Of great strength. Orange - Economy in their use. Rose, etc. Flavor as delicately and deliciously as the fresh fruit.

In congress McKelhan, the smartest man of the whole lot, spoke against the subversive bill. Tom Watson divided the alliance in Georgia. He divided the movement in congress and he is responsible for the condition of affairs today.

Tom Watson speaks of our friend the enemy. There is half a column of it here and he speaks of nothing but the democratic party. Watson says the democratic party is your enemies, yet there is not one bad law in the federal statute books that was not put there by the republicans. The democratic party has fought them but has never been completely in power to repeal them. Mr. Watson says the democrats made repeated promises to do many things and have done nothing. No politician ever made a more dishonest or untrue statement than this. He says the democratic party could have reduced your taxes and has not done so. They do not care to do their share of it. They have passed bills reducing taxation but the republicans would not consent.

Watson and the Wool Bill.

He told of Watson misrepresentations about the wool bill, of his knowledge never to have read it after he had been explaining it to the people. "Do you want to hear from a man like that? He must be a messiah to know these things. He says the wool bill would be at the farmer and yet he voted for it. If it was against the farmer and a little pop-gun bill, as he calls it, why should he have been for it? Had we passed the wool bill, we would have saved \$122,000,000 to the people. The tin plate bill would have saved you \$10,000,000. If these republicans had passed the cotton bill you would have bought time for 80 cents that you pay \$1.20 for now. With the bagging bill, you would have saved 2 cents a yard on bagging. Under the democratic wool bill we put but little tax on cheap clothing and a heavy tax on fine goods. As it is now, when you buy a coat for \$12, you pay \$5 of it as a tax."

"The third party," he said, "claims that it is time to quit talking tariff; that if you repeal the tariff it will do no good. You know differently."

He took up Watson's charge of extravagance against this congress and explained its misrepresentations, showing the large amount the republican congress had contracted for this congress to pay.

Of Watson's ridiculing the importance of the force bill he said he didn't believe Watson had ever read the force bill. He didn't believe he would prove so false to the people of Georgia as to say it was of no importance did he understand it.

"But Watson joined Tom Reed to prevent us from printing a few thousand copies of this bill in order that you could read and understand it. He don't want you to read it. He wants to keep it hid from you."

Mr. Moses then explained the outrageous features of the bill. Taking up Watson, he said Watson was against every leading man in his own party. He had told him (Moses) that he had no confidence in Macquinn and that he should be repudiated.

A Mighty Little Fellow.

Mr. Moses ridiculed Watson on what he had said about the failure of the democrats to carry free coinage. "If every congressman from the south had been a people's party man," said he, "there would have been the same result. Still these fellows, to get office, fight us men who voted for what they wanted instead of fighting the enemies. Tom Watson asked for \$50,000 for free rural mail delivery. We lost that because Tom Watson voted for it. He insulted the house and should he go there forty years he could never pass a bill. He took upon him to contend with congress that no man who abuses his fellow members in congress as drunkards can get any consideration at the hands of his fellows. He called the bullheads the American people. We would have gotten that \$50,000 but for Tom Watson. Livingston introduced a resolution appropriating \$200,000 for that very purpose and it passed."

More of Tom's Statements.

Taking up Watson's statement that congress had appropriated \$90,000 of the people's money to entertain the Grand Army in Washington, he said it was false. That money is paid by the citizens of Washington who desire to spend it for that purpose. Congress is simply a city council for Washington and has to say how the money of the city shall be spent. The people of Washington wanted to spend \$90,000 this way and congress simply allowed it.

Mr. Moses took up the McGarranham claim, the California hereditary mining law, and showed up the falsity of what Watson had said.

Of absenteeism, Mr. Watson said your members draw \$1 a day and go to the horse races. You don't pay your congressmen by the day; you pay them by the year. When we sent to the races for the absentees we found but three there, and they were Kentuckians, and you call a name a Kentuckian for going to a horse race.

"Now we will take up Watson's charge of drunken men in congress. Mr. Everett has said in the papers that he has never seen but one man drunk in congress. I never knew a man who was a sober-cut across his head. When he is suffering with pain from the pain, and once the pain was so severe he took too much."

Speaking of the third party platform, he said the wildest lunatic in the Atlanta-Village asylum could not have drawn up one that would do more damage to our people.

Colonel Ham spoke next. He took up the third party leaders in order and exposed them to the light of demonstrated Peck's slavery bill, that Peck did not go to the Georgia legislature for fun, but to feather his nest. Of Mr. Watson Ham said that while he was speaking to a lot of hoodlums and drunken negroes, abusing him and telling famous lies upon him.

"When Mr. Watson stands upon the court-house steps in Sparta and says, 'Ham is the man who, in the Ocala convention two years ago, fished out the scraps of Livingston's resolution about the force bill and pasted them together, and yet today Ham and Livingston are together,' he deliberately lies. Now I was not in the convention, neither was I in Florida and Watson himself knew when he said this he uttered an infamous lie."

"What has Watson ever done in congress? Nothing but edit The People's Party Paper and go about telling stories to his colleagues. What do you think of a boy who will kiss and go off and tell of it? What do you think of a tattler, even if his tales were true? But they have been proven untrue, as Mr. Moses tells you. He is held in such contempt by his colleagues that they should remain in congress forty years he could never pass a bill or be of any service to you."

Major Black Called For.

Then Major Black was called for. He had not come to speak, as he was here a few weeks ago. He simply said he had had no false promises to make to either whites or blacks, that no party would be able to give the people something for nothing and those who promised such things would get, perhaps, every vote in the audience today.

After the speaking there was a barbequed dinner. Messrs. Moses and Ham will go to Crawfordville and speak there tomorrow. E. W. BARNETT.

MONTEZUMA'S DAY.

Ringling, Eloquent, and Convincing Speeches from Earnest Georgians.

SPEAKER CRISP, ELECTOR BLACKBURN

And Elector Hinton Were the Speakers. A Great Outpouring of the People and Much Good Was Done.

Montezuma, Ga., August 26.—(Special.)—Three thousand five hundred people today gathered at Montezuma to hear pure, unadulterated democracy taught in all its branches. A special train from Macon and Americus poured the people into town by the hundreds, and bugles and wagons brought them by the thousands. The colored people came, too, and much good seed was sown. Badges—democratic badges—fluttered upon the laps of nine-tenths of the coats in town today. It was a grand democratic communion.

The day opened beautiful, and the people came to hear the glad tidings. Immense banners floated over the streets, bearing many sentiments, such as: "The Tariff Is a Tax," "Public Opinion Is a Public Trust," "The Force Bill Is Treason," "United We Stand, Divided We Fall." Floats were carried about the streets, lettered: "Our People Will Endorse Crisp at the Polls," "The Third Party Is Sick; Give It a Dose of Sagwa." Enthusiasm pervaded every nook and corner of Montezuma today, and democrats by the thousands went home happy and exulting, full of enthusiasm and determination to go into the fight more earnestly and more determined than ever.

Crisp, the honored American, elicited enthusiasm wherever his presence was made known. Men lingered about him as if he were an oracle. On the streets, at the rostrum, wherever he was found, he drew men to him as if by magic. Men were democratic hedges today who stood about the third party leaders. Men whom they had counted as safe for their side yesterday had flitting from the beautiful bay horses, well caparisoned and elegantly decorated, in which Speaker Crisp, Colonel Blackburn, Colonel Hinton, Mayor Ingram, Colonel L. O. Niles, Hon. J. M. DuPre, Frank Holt and Judge Haywood were taken to the grove at the Montezuma institute, followed by thousands of people on foot, in phaetons and buggies.

S. O. Ingram, chairman of the democratic executive committee of Macon county, called the meeting to order. Hon. J. M. DuPre, in his characteristic eloquent manner, introduced as the first speaker Colonel Blackburn. He proceeded to deliver an address that was simply masterly in every word, and he swayed the vast audience like the winds blowing the ripening wheat. He attempted to give a synopsis of this masterly effort, would dwarf its beauty, its force and overpowering and irresistible argument.

At 10 o'clock Mr. B. B. Odom drove a carriage to the Miller house drawn by four beautiful bay horses, well caparisoned and elegantly decorated, in which Speaker Crisp, Colonel Blackburn, Colonel Hinton, Mayor Ingram, Colonel L. O. Niles, Hon. J. M. DuPre, Frank Holt and Judge Haywood were taken to the grove at the Montezuma institute, followed by thousands of people on foot, in phaetons and buggies.

Colonel Blackburn's Great Speech.

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Colonel Blackburn proceeded to deliver an address that was simply masterly in every word, and he swayed the vast audience like the winds blowing the ripening wheat. He attempted to give a synopsis of this masterly effort, would dwarf its beauty, its force and overpowering and irresistible argument. He congratulated the people of the third district for the harmonious democracy in fact that a harmonious democracy is at work to gain a glorious state and national victory. He ridiculed the oppressive laws the city shall be spent. The people of Washington wanted to spend \$90,000 this way and congress simply allowed it.

Mr. Moses took up the McGarranham claim, the California hereditary mining law, and showed up the falsity of what Watson had said.

Of absenteeism, Mr. Watson said your members draw \$1 a day and go to the horse races. You don't pay your congressmen by the day; you pay them by the year. When we sent to the races for the absentees we found but three there, and they were Kentuckians, and you call a name a Kentuckian for going to a horse race.

"Now we will take up Watson's charge of drunken men in congress. Mr. Everett has said in the papers that he has never seen but one man drunk in congress. I never knew a man who was a sober-cut across his head. When he is suffering with pain from the pain, and once the pain was so severe he took too much."

Speaking of the third party platform, he said the wildest lunatic in the Atlanta-Village asylum could not have drawn up one that would do more damage to our people.

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WATSONISM.

Here Are Its Certain Results Pointedly Illustrated.

NEGROES CLAIM SOCIAL EQUALITY.

A Sensational Scene in Sparta—Diary as Full Acts of Some of Watson's Followers.

Sparta, Ga., August 26.—(Special.)—Watsonism bore fruit here yesterday, but was knocked out on the first round. Tom Watson, while in Sparta, stopped at the Drummers' Home, one of the best hotels in Georgia, and kept by Mrs. W. C. D. Roberts. Much of his harangue yesterday was to the negroes, because his white supporters in Hancock are very still. He gave utterance here, as at Thomson and other places, to his well-known views about "wiping out the color line." The negroes listened to him two hours and a half and left the speaking, some of them, in a sort of frenzied state of mind, and fully persuaded that the color line was gone.

The result was that they attempted to infect the Drummers' Home to meet socially the man who had been addressing them. During the day half a dozen negroes who were seeking to see their political adviser in the hotel were driven from the hotel by Mrs. Roberts. But after the speech, and when Watson was gone to his room, one big, dirty, burly fellow in his shirt sleeves rushed past her anyway and nearly pushed her down, saying: "I must see my speaker, Tom Watson. He says we have all got a right to do as we please, and there is no color line."

Mrs. Roberts promptly replied that "it may be so at Thomson with Mr. Watson, but it is not here in Sparta with me."

The negro had in the meantime dashed her aside and entered her sitting room.

She ordered him out again, but he answered: "I must see my Jesus Christ."

Then Mrs. Roberts summoned a policeman, and the negro left.

The interview between Mrs. Roberts and Mr. Watson was a rich one. She felt outraged, and gave him her views of his doctrines and the conduct of his followers without mincing words.

He expressed regret that the negro should have attempted to enter her hotel, and explained that he never meant to wipe out the color line socially, but politically. Her answer was that the negro understood him another way, and that in the future he and his sort must keep away from her hotel, as the whole third party couldn't pay her to be so grossly overrun.

So the chapter opens. But it does not end there. About dark last night one of the drunken crowd, as he went out of Sparta, recklessly fired a pistol ball into the Methodist parsonage, the ball striking the room occupied by Mrs. Cook, the minister's wife, and passing through the weatherboarding and plastering into the room.

AT THE OLD CAPITAL.

The Corners of Democracy Upheld by Brilliant Speakers.

Milledgeville, Ga., August 26.—(Special.)—Baldwin county's grand democratic rally and barbeque held here today was a complete triumph over the third party, the effect of which will be a large majority for the democratic alliance at the coming election.

Colonel Joe James, Colonel J. W. A. Sanford and Colonel Bryant were the speakers and paid their respects to the would-be Mosesses, who also produced the records showing that the democratic party is now and has always been in sympathy with, and working for the interests of the southern people, and proved the charges of the third party apostles against the democracy to be misleading and untruthful.

Tom Watson left town at 8 o'clock this morning, refusing to take part in the day's proceedings.

Put Baldwin county down as safely democratic in local and national elections. The club now numbers about six hundred members, and several districts are yet to be heard from.

REPUBLICANS ENDORSE HIM.

A Shelby County Meeting Pledges Its Members to Governor Norther.

Governor Norther has been endorsed by another republican name. The Shelby county republicans have adopted the following: "Whereas, Governor W. J. Norther has faithfully and impartially executed his duty as governor of Georgia, and

Whereas, The governor made special efforts as the law requires, to suppress the mobbing or lynching of persons suspected of having committed crimes, and the proper prices of law as is expressed in his proclamation denouncing the heinous and merciless actions of the persons who on the 18th day of May, lynched James Redmond, Gus Roberson and Robert Anderson, in Habersham county.

Whereas, The six hundred dollar reward offered, is expressive of the governor's Christian-like bearing to protect alike every citizen regardless of race or color; therefore, be it

Resolved, That we, in mass meeting assembled, endorse with the highest respect the executive administration of the governor, and hereby pledge ourselves to vote solid in October for William J. Norther, a man who stands by principle, justice, law and mercy."

THE TENTH'S POLLS.

The Whites Have a Majority of 833 in Watson's District.

The polls from the eleven counties in the tenth district number 28,343. Of those 14,008 are white and 13,765 colored, the white majority being 833.

Below is the number of polls by counties:

Col. White Colored Total

Columbia 437 778 1,215

Glaucock 495 290 785

Jefferson 819 2,046 2,865

Lincoln 377 482 859

Richmond 1,208 799 2,007

Tallapoosa 433 653 1,086

Warren 680 864 1,544

Washington 1,782 1,756 3,538

Wilkinson 376 629 1,005

Total 14,008 13,765 28,343

White majority, 833.



The spots on the floor, the dirt on the wall, the finger marks on the doors, the stains on the windows, the grease on the dishes, the tarnish on the silver, are all quickly removed by

GOLD DUST WASHING POWDER.

It makes radical change in the household work by making it both easier and less expensive. Large package (4 lbs.) Small price, (25 cents)

N. K. FAIRBANK & CO., Sole Manufacturers, 1

CHICAGO, ST. LOUIS, NEW YORK, PHILADELPHIA, BOSTON, BALTIMORE, NEW ORLEANS, SAN FRANCISCO, PORTLAND, ME., PORTLAND, ORE., PITTSBURGH AND MILWAUKEE.

What is

CASTORIA

Castoria is Dr. Samuel Pitcher's prescription for Infants and Children. It contains neither Opium, Morphine nor other Narcotic substance. It is a harmless substitute for Paregoric, Drops, Soothing Syrup, and Castor Oil. It is Pleasant. Its guarantee is thirty years' use by Millions of Mothers. Castoria destroys Worms and allays feverishness. Castoria prevents vomiting Sour Cud, cures Diarrhoea and Wind Colic. Castoria relieves teething troubles, cures constipation and flatulency. Castoria assimilates the food, regulates the stomach and bowels, giving healthy and natural sleep. Castoria is the Children's Panacea—the Mother's Friend.

Castoria. Castoria.

"Castoria is an excellent medicine for children. Mothers have repeatedly told me of its good effect upon their children."

Dr. G. C. Osceola, Lowell, Mass.

"Castoria is the best remedy for children of which I am acquainted. I hope the day is not far distant when mothers will consider the real interest of their children, and use Castoria instead of the various quack nostrums which are destroying their loved ones, by forcing opium, morphine, soothing syrup and other hurtful agents down their throats, thereby sending them to premature graves."

Dr. J. F. Kitchener, Conway, Ark.

ALLEN C. SMITH, Pres., THE CENTRAL COMPANY, 71 Murray Street, New York City.

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FREE EDUCATION.

Democracy Has Given the Blacks Millions for Schools.

THE WHITES PAY MOST OF THE TAX,

And It Is Divided Almost Equally Between the Boss—One of Governor Northern's Letters.

The democratic negroes of Chicago are taking an active part in the Illinois campaign.

To counteract the republican appeals to the negroes to stay in the south the blacks do not get fair play, the Afro-American Democratic Club of Chicago, through its president, G. P. Walker, wrote to Governor Northern, asking him to tell what democracy has done for the negroes of the south.

In reply, Governor Northern wrote a letter which is a good campaign document in Georgia, Illinois and every other state. The governor said:

I beg to acknowledge the receipt of your letter of August 10th instant, in which you ask me what "democracy has done" to secure the colored vote in this state. In reply I must say that while the people of this state have done nothing with the direct view of securing the vote of the colored people, they have done a great deal which should go toward inducing the colored voters to array themselves on the democratic side in the coming fight, both as between the democrats and the republicans. I think that the record we have made will have its effect in showing to the negro that in this state the white man of his own section, the man who best knows him, best understands his needs, sympathizes most deeply with him, and feels for him the truest friendship in a time of deep and unusual distress. Of course, in a short letter, I can only touch upon that record; but I shall give you a few facts from the record of the democratic party in this state, which I conducted the affairs of this state since 1872.

Under the republicans in this state, the negroes were given no facilities and no opportunities for education. A fund for educational purposes had accumulated for years, but this was seized upon by the republicans and used to pay members of the legislature their per diem of \$9 a day; and the schools did not get a cent.

The democrats on getting back into power, immediately restored the fund, and have been steadily increasing it ever since. In 1891 (the last year for which we have complete figures) it reached \$1,125,000. This fund is raised partly by the tax on the inspection of fertilizers, rental of the State railroad, etc. A direct assessment of 1-10 mill is levied on all property for school purposes, which raises \$500,000. The white people of the state own \$254,000,000 of property; the negroes own \$14,200,000. The negroes pay tax, for school purposes, in the amount of only \$10,000; while the whites pay, on the direct assessment, \$481,000. The fund, now being raised by rental, etc., as I have said, would have to be raised by direct taxation, if these properties and fees of the state were not in existence, so that it may be stated briefly that the negroes pay for school purposes \$10,000 yearly into the school treasury, while the whites pay \$1,100,000.

How is this? The school attendance among the negroes is about 40 per cent, as compared with the white attendance, which is about 80 per cent of the total. In other words, the negroes pay taxes for school purposes in the sum of \$10,000, and receive for their children 40 per cent of the fund. In other words, the negroes pay taxes for school purposes in the sum of \$10,000, and receive for their children 40 per cent of the fund.

The school facilities afforded both races are exactly the same, the only difference being that the white people practically support the schools for both.

With regard to the negroes owned property, the democrats have been steadily increasing it ever since. In 1891 (the last year for which we have complete figures) it reached \$1,125,000. This fund is raised partly by the tax on the inspection of fertilizers, rental of the State railroad, etc. A direct assessment of 1-10 mill is levied on all property for school purposes, which raises \$500,000. The white people of the state own \$254,000,000 of property; the negroes own \$14,200,000. The negroes pay tax, for school purposes, in the amount of only \$10,000; while the whites pay, on the direct assessment, \$481,000. The fund, now being raised by rental, etc., as I have said, would have to be raised by direct taxation, if these properties and fees of the state were not in existence, so that it may be stated briefly that the negroes pay for school purposes \$10,000 yearly into the school treasury, while the whites pay \$1,100,000.

They are also using the tariff. They hope to show that the negro is a consumer, and that the tariff is a tax which reaches him in his home and levies tribute on him for the support of monopolies and trusts. These are but a few of the things we have done and hope to do. I cannot take the time to add anything to the above, though it would be very easy to do so. I hope that I have given you what will be sufficient to show you that we have done a great deal and that we have done it for the benefit of the negroes of this state.

I hope that your club may be able to make good use of it among your people in this state, who, if they could but understand the evil of the tariff and the opportunities offered them for better times and better advantages in every department of life, would be as good democrats as the people of Georgia.

Walker has acknowledged the receipt of Governor Northern's letter, and says that it will be used with good effect on the colored voters of Illinois.

A DISGRACEFUL AFFAIR.

An Unpleasant Attack Upon a Negro at Jug Tavern.

Jug Tavern, Ga., August 26.—(Special.)—A cutting affair occurred here this afternoon about 4 o'clock between John House, white, and Mills Jones, colored.

The negro went in Lay & McDonald's store to buy a watermelon. House called the negro, causing him to look around.

House then said to me so d-d hard, at the same time striking him with his fist. The negro tried to escape at the door and House began cutting him with a knife, cutting his clothes and his head and a long gash across the side of his head to the skull.

House then fled, but seeing Marshal Jackson had the drop on him, surrendered and was released upon a \$200 bond for his appearance at court tomorrow.

A Successful School.

Harmony Grove, Ga., August 26.—(Special.)—Professor R. J. Strozier, principal of Harmony Grove academy, today arrived and will immediately begin active preparations for the opening of the fall term on August 28th.

Professor Strozier has had several years' experience as a teacher in some of the best schools in the state and for the past eight years has been principal of the academy, whose patrons were very loyal to give him up. From present prospects, the ensuing term will be the most successful ever known in the history. There is not a vacant house in town, families from adjacent counties having moved here to educate their children.

You see the last of Catarrh, if you'll take Doctor Sage's Catarrh Remedy. With the powerful, stimulating, and strengthening action, it cures the catarrh, and the like—you don't. They may, perhaps, help you for a time, but they don't cure. Catarrh is driven from the head by such means, something else is sure to suffer. Usually, nine times out of ten, it's the lungs. Not only Catarrh itself, but Catarrh of the Head, Cough, Cold in the Head—all the troubles that may cause Catarrh or may come from it. There's either a perfect and permanent cure, no matter how bad your case, or of how long standing—or there's \$300 in cash for you.

The proprietors of Dr. Sage's Remedy, in perfect good faith, agree and contract to give you one or the other.

ONLY \$4.00

Atlanta to Charleston and Return, Monday, August 30th.

Leave Atlanta at 8 o'clock a. m., city line, via Seaboard Air-Line, and eat sun forget it.

MACON GROCERS

And a Lawsuit in Which They and Others are Interested.

HON. R. W. PATTERSON TO GO WEST

And Aid the Democrats With His Eloquence—Shriner to Convene at Macon—Central City Gossip.

Macon, Ga., August 26.—(Special.)—An interesting case in which the Wholesale Grocers' Association of the United States appears to be intensely interested was filed in the superior court this morning.

It seems that some time ago the association entered suit against Messrs. Johnson & Harris, who are also members of the association, for the sum of \$18,711, the amount of an assessment made upon Messrs. Johnson & Harris by the secretary of the association.

The story as told by the papers in the court suit shows that all is not lovely on the inside of the association.

The suit instituted by the association against Messrs. Johnson & Harris having been given against the plaintiffs the present appeal is the consequence. In his evidence, which is only partially given, Mr. P. W. Inbusch shows the following peculiar state of affairs.

The Wholesale Grocers' Association was organized in the year 1889, and Mr. Inbusch, formerly of Inbusch Bros., wholesale grocers of Milwaukee, was elected secretary. Between August 2, 1889, and January 1, 1891, Mr. Inbusch had spent \$13,054.68 for expenses as secretary of the association and had been unable to get the money refunded, except in the sum of \$70. His duty as secretary of the association was to visit the 1,100 wholesale grocers in the United States and to lay before them the advantages of belonging to the Wholesale Grocers' Association, which advantages were chiefly that arrangements were contemplated with the sugar refineries by which the wholesale grocers could make from one-fourth to one-eighth of a cent on sugar. This they were not making and are now making now, for no arrangement has been made.

Mr. Inbusch went about his duties and spent two whole years in the interest of the association without receiving any compensation; he then sat down and figured out what each member's share of his expenses in the past would be and finding that it was \$18.71, he at once sent out notice to and drew upon each of the members for this amount.

Messrs. Johnson & Harris declined to pay and hence the suit which came up before Justice W. P. Carlos.

Secretary Inbusch gave evidence in accordance with the above statement, and said further that beyond the contemplated arrangement with the refineries, he has not made through no fault of his, there was positively no combination among the wholesale grocers to hold up prices against the retailer or the consumer.

Messrs. George T. Harris, A. B. Small, W. M. Gordon and L. S. Worsham, all prominent merchants of Macon, and also members of the association, testified that in their belief the Wholesale Grocers' Association and the representations that were made by Mr. Inbusch were a humbug, and that he had never derived the slightest benefit from it.

The court was granted by Judge Miller.

This association has, however, been reorganized since that time and is now on a more solid footing.

Third Party Meeting.

Bibb county is not a stronghold for the third party—a fact that was made painfully apparent at the third party meeting, which was held in the superior courtroom in Bibb county courthouse today.

Two negroes and twenty-two white men, one or two of the latter being staunch democrats, comprised the audience.

Hon. W. A. Poe, who is the nominee of the people's party for senator from the second district, was the speaker of the day and he delivered an elaborate prepared address, setting forth the wrongs that the people had suffered at the hands of the republican party. It was an able argument from the standpoint of the democratic party, and the third party and it fitted admirably the occasion, but Mr. Poe might find it difficult to face debater with the same arguments.

It is not probable, however, that old Bibb will trouble himself much in her efforts to meet the third party on the stump at home, though she has within her borders plenty of tongues for a wordy war in the tenth or elsewhere.

Notwithstanding this, our third party friends in this district say that they are going to do more than to let the third party—though of a truth that is not saying much for them.

To Defend Evans and Livingston.

Colonel John R. Cooper has been retained by the prisoners, Evans and Livingston, who are now in Bibb county jail, charged with the murder of Mr. William Rogers. Mr. Cooper has been frequently successful in his criminal cases of late.

Major Patterson to Go West.

Hon. R. W. Patterson has a reputation for eloquence not confined to the state lines. This is a time when the big democratic speech is needed where they can do the most good, and appreciating this fact the democratic national committee has made a requisition upon Mr. Patterson which he cannot afford to decline.

They have invited him to make stump speeches during the campaign, and his persuasive and convincing appeals for good government and the rights of the people will be heard where the fray is thickest. He has denizens of the states of Illinois and Wisconsin, where the battle will be most closely contested, will be traveling in the north, a sample of old-fashioned southern humor and eloquence.

A Brilliant Wedding.

One of the most brilliant events in the social annals of Macon transpired last evening in the marriage at the residence of the bride, Miss Lizzie Jones, of Macon, and Mr. R. F. Sams, of Savannah.

The ceremony was performed at 9:30 last evening, the Rev. H. O. Judd officiating. The bridesmaids were Miss Edith Barren with Mr. Albert Jones, Miss Louise Campbell with Mr. M. B. Lane, of Savannah, and Miss Nellie Jones with Mr. John Morris, of Savannah. The groomsmen were Mr. John Morris, of Savannah, and Mr. Crawford Wheatley, of America, was best man.

Miss Lizzie Jones is a daughter of D. B. Jones, of Macon, and has made scores of friends by her gracious manners and beautiful traits of character.

Mr. Sams is the manager of the Baldwin fertilizer works, of Savannah, and formerly resided in America. In both cities he has many friends and they will unite in congratulating him on his good fortune.

Mr. and Mrs. Sams, on their return home, will reside in Savannah, much to the sorrow of their many friends in Macon who regret to lose Mrs. Sams.

Shriners Coming to Macon.

The Mystic Shriner Yaarab temple will hold their next semi-annual meeting in Macon beginning October 20th.

Arrangements will be consummated at once by which ample provision will be made for the reception and entertainment of the guests. This occasion is the annual convocation of the Mystic Shrine, which is the highest order of the thirty-second degree or a Knight Templar can be admitted into the sacred circle.

There will be from 250 to 300 nobles of the Mystic Shrine in Macon and the session will last several days.

The pilgrims from the Atlanta "camps" will bring with them the camels in the Atlanta zoo, and the "ships of the desert" will participate in the procession, giving it an oriental cast.

Personal and Local.

Mr. E. B. Knowles, a resident of East Macon, died in that part of the city this morning. Mr. Knowles came from Twickenham, and the body will be shipped back there today.

Mr. W. R. Redmond, of East Macon, was buried yesterday afternoon from the house. F. D. Bloodworth, of Eufaula, Ala., with his remaining wife, has located in our city. Miss Fannie R. Long, of Macon, is spending the week in Chattanooga, Tenn.

Lawyer Cargel, representing the Missouri Car and Poultry Company, is in the city, much to the delight of his many friends.

A BOY AND A GUN.

A Twelve-Year-Old Lad Shot Dead by a Companion.

IT WAS ACCIDENTAL, HOWEVER.

Political and Social News from Athens—A Minister's Predicament—Visitors in the Classic City.

Athens, Ga., August 26.—(Special.)—Isaac Kenney, the twelve-year-old son of Superior Court Clerk J. R. Kenney, lost his life by accident in this afternoon. Young Kenney and a companion went out hunting. On their return they tried their marksmanship on a target. Kenney shot first and handed the gun to his companion, who at once aimed at the target. Just as he pulled the trigger Kenney ran in front of the gun, receiving the entire load of shot in his right shoulder. He was carried to his home, where he died two hours later.

Ocoee's Democracy.

September 1st will be the great field day for Ocoee's democracy.

On that day a grand county democratic rally will be held in Watkinsville. Some of the leading democratic orators of the state have been invited, and the time honored principles of the creeds of Jefferson and Jackson will be expounded with force and eloquence.

Clark's Third Party Rally.

The third party rally of the campaign in Clarke county will be held in the county courthouse in this city Saturday night.

The principal speaker will be Colonel McHenry, of Jefferson, and George Brightwell, the people's party candidate for the legislature from this county, will make the initial speech of his campaign and the initial speech of his life. McHenry was asked if he would divide time with the democrats, to which he replied:

"I don't know. I will want two hours for myself, and Mr. Brightwell will want good time for his first speech, and if the crowd wants to stay any longer than that the democrats can speak." This means that they don't want any joint discussion in Clarke.

Where Is Stein?

Sam Stein, who came from Atlanta to this city about five months ago and opened a tailor shop, is missing and no one is able to locate him or tell whether he is dead or alive. Stein was not successful here and a month ago began to close up his business to move away. He said he thought of going to Nashville, but when he did leave no one knew where he intended to go.

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Too Much Faith.

Rev. J. S. Cowan, the well known evangelist, who is one of the most sensational preachers in the country, and who opened a series of tent meetings in this city early in the spring against the advice of the ministers' association, and then roundly denounced the ministry of this city and their church-going folk as joint partners of the devil and dancing clubs, is just now cupping rather a peculiar position. He was licensed to preach by the church at Watkinsville, his authority being limited and requiring renewals. The other day the matter of renewing his license came up before his church and the renewal was emphatically refused.

This refusal was on the grounds that the evangelist believed in faith-cures, spiritualism and kindred superstitions to a dangerous extent. It is said that he is equipping a faith cure hospital in Florida, where he expects to do a land office business.

Cowan preaches a good sermon. He says he doesn't care a snap whether they give him a license or not—he will preach any how.

Local and Personal.

Justice W. F. Eve, of Augusta, with his accomplished daughter, Miss Allie, and Mrs. P. B. Perkins and Miss Lucy Allen, is in the city.

Mrs. H. H. Smith, of Atlanta, spent yesterday in the city, making preparations to enter her son, Mr. Cuyler Smith, in the university law class.

Colonel George W. Rauck and family, of Lexington, Ky., have arrived in the city to make Athens their future home. Colonel Rauck is a distinguished historical writer and contributor to the leading magazines.

Miss Mary Blount, of Macon, is expected to arrive in the city soon to spend some time.

The testimonials published in behalf of Hood's Sarsaparilla are facts, and prove that Hood's Sarsaparilla possesses absolute merit and is worthy the full confidence of the people.

Mother's will find Mrs. Winslow's Soothing Syrup the best remedy for their children. 25c.

Have Bechman's Pills ready in the household.

Graded School at East End.

The graded school, so successfully conducted at East End, under the auspices of the Atlanta Suburban Land Company, will reopen Monday, September 5th.

Purchasers of land from this company, residing thereon or the tenants of such land, are invited to send their children to this school without cost to them, other than for books. A limited number of other children are accepted at a small tuition fee, payable monthly.

ATLANTA SUBURBAN LAND CO.

aug26-1w.

ONE ENJOYS

Both the method and results when Syrup of Figs is taken; it is pleasant and refreshing to the taste, and acts gently yet promptly on the Kidneys, Liver and Bowels, cleanses the system effectually, dispels colds, headaches and fevers and cures habitual constipation. Syrup of Figs is the only remedy of its kind ever produced, pleasing to the taste and acceptable to the stomach, prompt in its action and truly beneficial in its effects, prepared only from the most healthy and agreeable substances, its many excellent qualities commend it to all and have made it the most popular remedy known.

Syrup of Figs is for sale in 50c and \$1 bottles by all leading druggists. Any reliable druggist who may not have it on hand will procure it promptly for any one who wishes to try it. Do not accept any substitute.

CALIFORNIA FIG SYRUP CO.

San Francisco, Cal. NEW YORK, N.Y.

MAISON, COLORADO.

July 25 d 622 w 80 w

W. O. JONES'S FINE STABLES.

Located at 41 North Forsyth Street.

For first-class livery of every description go to W. O. Jones. The finest horses and most stylish vehicles. Everything new. Best stables in the south for boarding horses. Special terms.

aug-1w

MIDSUMMER BARGAINS

INEVERY DEPARTMENT

Chamberlin, Johnson & Co.

Rebuilding, for more room is advantageous to the trade, as well as to us. Read some clearance prices now.

DRY GOODS.

Braided and Plain Blouses worth \$3.50 to \$5.00 for \$1.50. Blue and Tan. Reefers, in Gray and Tan, good value at \$10 to \$12 for \$5. Parasols, gray, blue, tan, garnet, red and black, \$1.75 and up. Dress Goods, Linens, Hosiery, Handkerchiefs, the same way.

DRY GOODS.

Tapestry Brussels 75c Per Yard. Body Brussels at \$1 Yard and Up.

CARPETS.

New Draperies at Astonishingly Low Prices. See the Goods, We Ask.

Furniture Furniture

Solid Oak Suite, \$27; Cherry Suite, \$50; Maple, \$45; Box Tables, Oak, \$15; Sideboards, \$25; Best \$1.50 Chairs in the world, solid Oak; Best \$2.50 Rocker made, solid Oak. New and elegant line of Office Desks, from \$25 to \$100, just opened. See the goods.

Furniture Furniture

MIDSUMMER BARGAINS

INEVERY DEPARTMENT.



20 Years of marvelous success in the treatment of MEN and WOMEN.

Dr. W. W. Bowes

ATLANTA, GA., SPECIALIST IN Chronic, Nervous, Blood and Skin Diseases.

VARICOCELE and Hydrocele permanently cured in every case.

NERVOUS debility, seminal losses, despondent, nervous, and all habits.

STERILITY, IMPOTENCE.—Those desiring to marry, but are physically incapacitated, quickly restored.

Blood and Skin diseases, Syphilis and its effects, Ulcers and Sores.

Enlarged Prostate.

Urethral Stricture permanently cured without cutting or caustics, at home, with no interruption of business.

Send a stamp for book and question list. Read business references furnished. Address Dr. W. W. Bowes, 24 Marietta St. Atlanta, Ga.

Phaetons, Buggies, Surries, Carts,

Standard Wagon Co., OF GEORGIA.

Claude L. Leyden, Treas.

38 & 40 Walton St.

Victorias, Landaus, Wagons, Harness.

July 15—dly no 3n r m

Bile Beans

Small

Positively cure Sick-headache, 40 to the bottle. Price 25c. Reliable, Economical. Sold by druggists.

July 7 d mon tues wed fri sat n R M

"Cloud-Brewed Nectar"

some one poetically called the famous

manitou

Mineral Spring

WATER,

because it came from the mountains in Colorado, which continually kiss the clouds of heaven.

"The Water of the Gods."

Effervescent, Sparkling, Delightful, Pungent.

An Elegant Table Water

Unexcelled for Family, Club, Restaurant and Bar. Packed in Convenient forms for Dealer and Consumer. The Trade supplied by Christian & Craft Grocery Co., 21 to 25 S. Commerce St., Mobile, Ala., and B. J. Semmes & Co., 297 Main St., Memphis, Tenn.; General Agents. Sold by all Druggists and Grocers. Circulars sent on application.

MANITOU MINERAL WATER COMPANY

REAL ESTATE.

Samuel W. Goode. Albert L. Beck.

Sam W. Goode & Co.'s

Real Estate Offers.

\$1,000 BUYS FOUR beautiful lots 1-2 block from Grant park, S. Boulevard, and the dummy line. Many lots in same locality of equal value have been sold for more money than this and this offer is a bargain.

\$40 PER ACRE for 65 acres, 11.2 miles from Euclid depot, 2 1/2 miles from Decatur, on the Covington public road and 8 miles from Atlanta; 20 acres in original forest in bottom land; 15 acres cleared, 10 acres in pine land. Tenant house and barn. Liberal terms.

\$250 FOR PRETTY Bowden street lot, 50x115 feet, between Peachtree and Pilemont ave. Money in it. Easy terms will get it.

\$2,750 FOR BEAUTIFUL Forest ave. lot, 50x125 feet, 10 to 10-foot alley. Nicely graded and in first-class locality. Street paved and with side alley and one 7x15 feet. The owner desires a little cash and offers these at a great sacrifice. We can make money for you on them. Call and be convinced.

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\$2,000 FOR BEAUTIFUL new 5-room cottage at Ormewood park,

FUNERAL NOTICE.

Funeral of Mrs. Lucy Bell. The funeral of Mrs. Lucy Bell will take place from 170 Jackson street today at 2 o'clock p. m. Her friends and those of Mr. and Mrs. Henry Lewis and Mr. and Mrs. T. S. Lewis are invited to attend. Interment at Westview.

FINANCE AND TRADE.

CONSTRUCTION OFFICE.

Atlanta Clearing Association Statement. Clearings today \$1,151,210.30. For 5 days \$5,726,120.30.

Local Bond and Stock Quotations.

The following are bid and asked quotations.

Table with 2 columns: Security Name and Price. Includes items like New York 4 1/2%, U.S. 4%, and various bonds.

THE NEW YORK MARKET.

The Day on the Floor of the New York Stock Exchange.

NEW YORK, August 26.—The principal effect of the decision by Chancellor McGill was to intensify the tendency to dullness in the general list and to increase the movement to cover shorts in all parts of the list. There was considerable excitement in the Reading crowd at the opening until it became evident that insiders were disposed to support that stock against any possible pressure. Other stocks were extremely dull. The rest of the interest in the market was centered in sugar, in which transactions were again extremely large, while prices were working during the afternoon nearly 3 per cent, with no material improvement in later dealings. The lowest prices of the day were reached in the many stocks as the closing was quiet, but heavy generally within a shade of first figures. Values of listed stocks, 151,000; unlisted, 74,000 shares.

Exchange quiet and easier at 67 1/2; commercial bills 68 1/2.

Money easy; all loans at 1 1/2; clearing offered at 1 1/2. Sub-treasury bills 69 1/2, 68 1/2, 68 1/2, 68 1/2.

Government bonds dull and easier; U.S. 4 1/2%.

Table with 2 columns: Bond Name and Price. Includes items like U.S. 4 1/2%, U.S. 4%, and various bonds.

THE COTTON MARKET.

CONSTITUTION OFFICE.

Local Market quiet; middling 14 1/2.

Below we give the opening and closing quotations of cotton futures in New York today.

Table with 2 columns: Month and Price. Includes items like August, September, October, and various cotton futures.

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GRAIN, PROVISIONS, ETC.

CONSTITUTION OFFICE.

Atlanta, August 26, 1902.

Flour, Grain and Meal.

ATLANTA, August 26.—Flour: First patent 100; extra 95; second 90; third 85; fourth 80; fifth 75; sixth 70; seventh 65; eighth 60; ninth 55; tenth 50; eleventh 45; twelfth 40; thirteenth 35; fourteenth 30; fifteenth 25; sixteenth 20; seventeenth 15; eighteenth 10; nineteenth 5; twentieth 0.

Grain, Provisions, Etc.

ATLANTA, August 26.—Wheat: No. 1 100; No. 2 95; No. 3 90; No. 4 85; No. 5 80; No. 6 75; No. 7 70; No. 8 65; No. 9 60; No. 10 55; No. 11 50; No. 12 45; No. 13 40; No. 14 35; No. 15 30; No. 16 25; No. 17 20; No. 18 15; No. 19 10; No. 20 5; No. 21 0.

Provisions, Etc.

ATLANTA, August 26.—Pork: No. 1 100; No. 2 95; No. 3 90; No. 4 85; No. 5 80; No. 6 75; No. 7 70; No. 8 65; No. 9 60; No. 10 55; No. 11 50; No. 12 45; No. 13 40; No. 14 35; No. 15 30; No. 16 25; No. 17 20; No. 18 15; No. 19 10; No. 20 5; No. 21 0.

Provisions, Etc.

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Provisions, Etc.

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THE TELEGRAPHERS

Greatly Worried by the Reorganization Projected.

A SECRET PAMPHLET PRODUCED

Which Shows Some Light on the Impending Situation—Trouble Ahead for the Western Union.

The Constitution's article yesterday on the impending strike of the telegraphers was read with great interest by the craft.

The noticeable fact was that none of them were surprised.

They looked one to another, as if to say: "Well, they seem to know something about it."

"There is a capital understanding with the railroad operators," said one of the leaders, "and if another strike against the large telegraph companies takes place there will be no cross-firing between brethren. The commercial operator will be sustained by the railroad operator."

A secret pamphlet, being distributed among the commercial operators, describes the purposes of the Order of Commercial Telegraphers.

"As one of the most vital and indispensable agents of modern commerce," the preamble says, "as a powerful accessory to the advancement of civilization, and a subtle safeguard for the protection of life and property, telegraphic labor holds an acknowledged place, second to none in all the wide field of human industry."

"When the telegraphic strike of 1883 was ended the Western Union, smugly under the loss of the millions its own arrogance had cost, sought to bind the operators into perpetual submission by compelling them to sign an alleged 'iron-clad agreement' never again to join a labor organization. A more senseless blunder was never made by any corporation deriving from the people its rights to exist. Men indulged the formality of signing the document, under the duress of existing want, because they realized, as many of them then declared, that such an article was not worth the paper on which it was written; it lacked the essential element of all contracts, namely, consent; and, furthermore, it aimed to vitiate one of those rights of which an American citizen cannot legally divest himself."

"We still cling with unalterable devotion to the principle that the natural right of man to associate with his fellowmen is as inalienable as it is just, and can never be surrendered without robbing manhood of its sacred attribute."

"Dearly bought experience has taught us that methods once cherished and relied on have proved utterly impotent and must be relinquished. We would build a telegraphers' organization, founded upon carefully defined principles, guided by conservative counsel, and governed not by the impulse of the restive few, but by the calm and counterbalancing deliberations of all concerned."

Strikes and Lockouts.

The pamphlet then goes on to show that there is almost no possibility of hasty action by any minority, and corroborates this statement by quoting the following on "Strikes and Lockouts," from the order's constitution:

Section 1. In the establishment of any fund, for the purpose hereafter set forth, we declare that strikes are deplorable, and that seldom consistent with the best interests of those involved, and, therefore, nothing shall be construed to give sanction to such efforts for the adjustment of any difficulty, except in strict accordance with the laws laid down in this article.

Sec. 2. No strike shall be declared or entered into by any member or members of any local committee without the sanction of the executive committee of the grand council.

Sec. 3. No grievance of any character whatever shall be referred to the executive committee of the grand council except by a seven-eighths vote of all the aggrieved council's members in good standing, both absent and present.

That the order believes in strikes as a last resort is distinctly stated in the pamphlet in these words:

"When a grievance becomes so patent, glaring and intolerable that seven members out of every eight protest, and a body tender their resignations as the only alternative of refused redress, then the action will stand in public view as a just verdict, whose dignity cannot be impaired by the use of such epithets as 'lockout' and 'strikes'."

What Is Proposed.

The pamphlet then explains in detail the principles and purposes of the Order of Commercial Telegraphers. Its purpose, it says, "by the establishment of our benefit fund to form an association of telegraphers that shall substantially embody the essential object of kindred benevolent associations, namely, a weekly allowance during the entire period of actual illness, and we would respectfully urge upon all operators the desirability of availing themselves of the benefits conferred by this fund in preference to affiliation with foreign associations of similar purport."

"We would use every honorable means to secure a correction of the gross inequalities in the existing scheme of women's wages. Equal pay for equal work means simple justice to all; and a system which discriminates against woman solely on account of her sex—when exacting from her the same amount of work as from man—is repugnant alike to justice and to honesty."

"We are unalterably opposed to the present invidious wage system, which fosters alike the opportunity and the necessity for overwork, blinding the underpaid operator with the alluring phantoms of extra remuneration for toil that is actually being his physical power to perform; while, through the aid of an iniquitous sliding scale, salaries are being systematically depressed."

"We deprecate the indiscriminate teaching of students, the inevitable tendency of which is to lower salaries by creating abnormal competition. Ample provision, however, is made for the consideration of individual cases among members."

Prices' Cream Baking Powder

A Pure Cream of Tartar Powder. Superior to every other known. Used in Millions of Homes—40 Years the Standard.

Delicious Cake and Pastry, Light Flaky Biscuit, Giddle Cakes, Palatable and Wholesome.

No other baking powder does such work.

READING THE BIBLE.

That's How Asbury Gentry Is Passing His Days.

THE MOTION FOR A NEW TRIAL

Will Be Decided at Buchanan Next Friday—The Grounds That Will Be Urged for a New Trial.

All day yesterday Asbury Gentry sat in the doorway of his cell reading a new book with deep interest.

As he pored over the closely printed pages, he had to tear the crisp leaves apart where they had stuck together.

The book was quite a pretty one with gilt-edged leaves and red-cloth back against which in big gilt letters were the words, "Holy Bible."

Asbury Gentry reading the Bible.

If his former comrades in old Harrison county were told of such a thing they would smile incredulously. Asbury Gentry and Bibles are foreign terms in their minds.

The reckless, untamed man that he was, he never opened a Bible to read it until the other day in the jail.

Last Friday the motion for a new trial for Gentry was to have been argued at Buchanan before Judge C. G. James. A fine array of legal talent was present to represent him, among the lawyers being Colonel J. M. McBride and Judge Adamson.

Several grounds were urged why a new trial should be granted. The first and most important was that the new evidence, which vitally affected the case, had been discovered since the last trial. Another was that a handkerchief with a red spot upon it, which had been entered as evidence, was washed by the jury in the jury room to ascertain whether the red spot was made by blood or not. Upon this a very delicate law point was raised, and it was whether a jury can conduct an investigation after it has received the judge's charge and retired to make up its verdict. Other grounds are urged for a new trial.

The new evidence which has been discovered is proof of Gentry's whereabouts at a time when it was sworn by a state's witness that he was in the vicinity of where the old peddler was killed.

The argument was begun and proceeded during the day, but before it was completed Judge James postponed the further hearing of the case until Friday. At that time he will decide whether Gentry is to be given another chance for his life or not.

Day before yesterday Gentry's father came to the jail to see him. The old gentleman talked for a long while with Asbury and when he left he presented him with a new Bible and asked him to read it. The condemned man took the book. He had never read it before, but in a shaking voice he promised his father he would read it. And he has kept his promise. Since his father left he has read it assiduously and has mastered the contents of two or three chapters. He is still determined to become an evangelist if he ever gets out of his present trouble.

RAILROAD DEPARTMENT V. M. G. A.

Renewed Interest Being Awakened in the Work.

This valuable adjunct to association work in this city is undergoing reorganization and it is the purpose to place the department on a good financial basis and push the work on the most approved plan. A strong committee of management, a majority of whom will be men prominently connected with railroad service, will have control, and the affairs will be administered exclusively as a railroad department.

The rooms of the department, which are located on the second floor, at 42 1-2 East Wall street, are being brightened up and important improvements made. A wash room is being fitted up with hot and cold water supply. In this room will be comb, brush, mirror and a place to black boots. This will be a great convenience to the large number of train men running into the city. There are also three good shower baths with all conveniences for a refreshing bath.

An excellent supply of reading matter will be provided, including the best daily, weekly and illustrated papers of the day, and leading magazines; also all the brotherhood journals and railroad publications. There will be a correspondence table supplied with everything necessary for letter writing. Games of amusement will be at hand and a comfortable parlor will afford a resting place for the men weary from their runs.

The rooms are open and free to all railroad telegraph, express, Pullman and United States railroad mail service employees.

Arrangements are now going forward for an opening reception to railroad men and ladies, which will take place about the middle of September. A grand time is anticipated and it is expected that the rooms will be crowded on that occasion with stalwart knights of the rail, with their wives and friends.

The work under contemplation for the fall and winter is a series of medical and surgical talks on "First Aid to the Injured," scientific and mechanical talks on subjects of special interest and value to railroad and shop men; educational classes, if there is a demand for them, in the common and practical branches, just what many of the railroad men need to add to their promotion; a series of monthly socials and entertainments and other features that will be sure to interest and profit this worthy class of our citizens.

The religious work, wholly undenominational in character, will hold its place of prominence and personal work on the part of the secretary and active members; the visitation of sick and injured and so forth, will receive due attention.

Membership in the department at the mere nominal fee of \$3 per year, will entitle a man to all the above privileges without any additional cost. At the same time employees not members will be welcome to use the reading room and spend their spare time at this pleasant retreat. The bath and wash rooms are exclusive membership privileges.

SOUTHERN FEMALE COLLEGE, LA GRANGE, GA.

President C. O. Cox, of the Southern Female college, LaGrange, Ga., was in the city yesterday on his way to North Carolina to arrange for a large club of young ladies, who propose to attend the institution. It is pleasing news to the many friends of this sterling college to learn that more students have applied to enter than for any previous year at this season. It was necessary during the last session to notify the public that no more pupils could be accommodated. Although room is provided for more this session the places are rapidly filling. Professor Cox seems gratified that it is no longer necessary to canvass for the college, as the summer may now be spent by him and the faculty in travel or study.

An interesting addition this summer to the already extensive equipment of the college is the completion of the collection of precious stones in the museum, 100 more specimens being lately purchased. The museum in this branch, as well as in the other cabinets, is thought to be the most extensive in the state. In the library all the leading authorities on American history and literature have been collected for reference. Professor Cox's theory being that literature and history should be studied together, so that the one may interpret the other.

Mrs. Ruffie Cox Stanton continues as teacher in the college.

SLICK FINGERED.

Some Shrewd Gamblers Show Up in Atlanta.

AND BOLDLY BEGIN OPERATIONS.

Chief of Detectives Wright Drops. On to the Gents, and Is Keeping His Eye on Them.

The gamblers have struck Atlanta! And they are not of the "tin horn" brand either, but high rollers, the sort of fellows who are always ready to back their "hands" with a big wind of stuff and cheerfully take the bribe of the limit and let 'er roll.

Their Advent in the City.

For the past three weeks a half dozen of these slick-fingered 'gentry, strangers to most Atlantians, have been in the city. They came without previous announcement and no brass band met them at the train. They came two-by-two and without seeming preconcerted agreement. They came unostentatiously and to all outward appearances as quiet, harmless men of business. And men of business they are!

Don't believe it? Just tackle them and you will speedily be convinced that your judgment, in this respect at least, isn't worthy to be ranked alongside of that of Thompson's famous colt.

These men of the green cloth and good clothes are well-known sports. Two of them are famous as Mississippi river gamblers, and have acquired a national reputation as men of nerve, both as players and fighters. Both have called their man by the gentle voice of the pistol, and on several occasions both have shown that they possess remarkable coolness and courage.

Their Hang Out.

When these professional gamblers had gotten the dust of travel washed from their persons, after their arrival in Atlanta, they at once set about to locate a lair for their victims. Barkis is always willin' and Barkis was found by the festive sextet in a little while. A prominent saloon man gave quick and generous response to the suave request that his saloon be made the headquarters of the gang during the day, while at night a room over a big business house is where the light burns through all the hours in which the outer darkness enshrouds the slumberous world, and where the hideously dressed dealer sits behind the box and stoically draws the eagerly expected bit of card from the silver box. In this room there are also tables for the accommodation of those who love to woo fortune through the medium of the great American game of draw poker, for be it known by these presents that these pocket relievers are not a close corporation, by any means, and any gentleman so desiring may be accommodated with any sort of amusement he may call for.

Their Leader Described.

There stood in the lobby of the Kimball yesterday afternoon a tall, plainly, but neatly garbed man. His chin was smoothly shaved, his hair was dark and combed, his shoulders not attractive by any means is the expression of his face, nor are his manners peculiarly winning above those of the average man. He is quiet and slow of speech, his voice is low and soft, and his tone is good English. The one striking feature of this man is his eyes. They are cold gray in color and as fierce in expression as those of a bald eagle. Restless they are and with frequent glances they search the face of every man within their range.

The owner of these eyes is the leader of this freshly-arrived band of professional gamblers. He is a noted and old-time New Orleans sportsman, and is known to Montgomery, Birmingham, Memphis and as far up the Mississippi river as St. Louis he is known to the gambling world and several hundred victims as "raised" money. He fears nothing except defeat in a game, and even when a loser is as cool as an icicle in Greenland. Now this man, whose name need not here be given, never earned an honest dollar in his long life. His years have been given to gambling. He has made that his study and his only means of support. His presence in any town means that some foolish fellow, who has more money than brains, is sure to suffer the loss of his wealth. His victims are all over the south, and there are already several of them in Atlanta. With this kind of card sharps there are five other notorious card sharps here in the city, and they are all in the Kimball house ready to search for the victim who is looking for a good time. He is a sporting character, and will bet on anything, from a bob-tailed fish to a race between two flies crawling on a wall.

They have seen a fellow watching for and pouncing upon an unsuspecting rodent? Well, then you can imagine the actions of this deleterious gang of gamblers in the Kimball house ready to search for the victim who is looking for a good time. He is a sporting character, and will bet on anything, from a bob-tailed fish to a race between two flies crawling on a wall.

"I just dropped \$200 last night the quickest you ever saw," said one railroad brass collar yesterday.

That tells the story. That's only a little pointer to indicate the success that rewarded the perseverance of these amiable and smoothly moving gentlemen who have recently taken up their domicile in the capital of Georgia.

They Are Professionals.

These gamblers are professionals. Gambling is their trade. By it they make their living. They do not go masked. They meanly go about their work. They lay all sorts of traps to catch their victims and they catch them!

Of that there is no doubt. Young men, old men, rich men, poor men, clerks, mechanics, tradesmen, professional men, all alike are ensnared by these wily robbers, and all alike are fleeced.

The Detectives on to Them.

Chief of Detectives Wright has detected the presence of the gamblers here, and is keeping a sharp eye on them. He met one of them yesterday and had a talk with him.

"He is the slickest gambler I ever saw," said Captain Wright, last night. "He was raised at Smyrna, in Cobb county, and is a shrewd, sharp fellow. We are keeping our eyes open, and if these fellows don't watch out we'll have some of them in the lock-up in short order. There's one thing certain, they have got to leave Atlanta, or they will have trouble. I know the saloon where they hang out, and all I need now to make arrests is the evidence. I'm going to have them here, and I'll soon have enough evidence to fix them."

I am seventy-seven years old, and have had my eye removed at least twenty times by the use of Swift's Specific. My foot and leg to my knee was a running sore for two years, and it could not be cured. After taking fifteen small bottles of S. S. S. there is not a sore on my limbs, and I have a new lease on life. You ought to let all sufferers know of your wonderful remedy.

—J. F. STILES, Palmer, Kansas City.

IS WONDERFUL REMEDY for all kinds of skin diseases. It builds up the general health. Treat on the blood mailed free.

SWIFT SPECIFIC COMPANY, Atlanta, Ga.

The Knox hat cannot be imitated in cheap goods. This is opening day. Fix yourself. Swift & Harris.

STILSON, JEWELER.

55 WHITEHALL ST. Reliable Goods. Fair Dealing. Bottom Prices.

WE HAVE

only a little over two weeks to close out all Summer Goods on hand. Notwithstanding the big business we have done this past Spring and Summer, there are many desirable goods on hand, which must be closed by September 1st regardless of value or cost. In order to accomplish this we offer everything in light and medium weight clothing

At a Discount

—OF—

25 %

This sale holds good for "This Week." Negligee and Puff Boom Skirts go at the same reduction.

EISEMAN & WEIL,

ONE PRICE CLOTHIERS AND FURNISHERS

3 Whitehall St.

Let Appetite Wait on Good Digestion, for These are Reasonable Attractions.

Home-made Saratoga Chips, per pound 35c
Mayonnaise Salad Dressing, per bottle 40c
XXXX Queen Olives, per bot 30c to \$1.25
Duck's Salad Dressing, per bottle 35c
Chili Sauce, per bottle 35c
Celery Sauce, per bottle 45c
Raspberry Vinegar, per bottle 75c
Raspberry Syrup, pure juice, per bottle 50c
Salmon, Mackerel, Brook Trout, Herrings and Sausage, per can 15c

Wholesaleness of every variety; absolutely pure-grown spices. Pure apple and white-wine vinegar. We guarantee freshness, purity, quality and prices. Call on us.

W. R. HOYT, 90 Whitehall Street.

The smallest Pill in the World!

Why do you suffer from Dyspepsia and Black-Headed, rendering life miserable, when the remedy is at your hand?

TUTT'S

Tiny Liver Pills

will speedily remove all this trouble, enable you to eat and digest your food, prevent headache and impart an enjoyment of life to which you have been a stranger. Dose small. Price, 25 cents. Office, 29 Park Place, N. Y.

Don't Be Beguiled

Into paying \$5 for a Stiff Hat. Our Hat at \$3.50 combines all the essentials of the best Stiff Hat. The quality fine—durability beyond question—shapes correct.

Our Fall Styles Are Now Ready.

Fall Clothing being received every day. Summer Clothing at your own price.

George Muse Clothing Co.

PERFECTED CRYSTAL LENSES

Manufacturers of Fine Spectacles and Eyeglasses and Dealers in Scientific Instruments. Retail Salesroom, 54 Old Capitol, opposite Postoffice.

GET YOUR Blank Books, Ledgers, PRINTING, Journals, Cash Books, Binding, Electrotyping, etc., etc., of JAS. P. HARRISON & CO., (THE FRANKLIN PUBLISHING HOUSE), State Printers, Atlanta, Ga. Consult them before placing your orders.

Knox fall styles silk, derby and alpine hats now on sale. Swift & Harris.

In effect Sunday May 29th, 1893.

RAILROAD SCHEDULES

Showing the Arrival and Departure of All Trains from This City—Central Time.

SEABOARD AIR-LINE. (NORTH DIVISION)

No. 43. From Mobile, Ala., to Norfolk, Va., via New York, Philadelphia, and Washington. Leave Mobile, Ala., 10:30 am; arrive Norfolk, Va., 10:30 am.

No. 44. From Norfolk, Va., to Mobile, Ala., via New York, Philadelphia, and Washington. Leave Norfolk, Va., 10:30 am; arrive Mobile, Ala., 10:30 am.

From Savannah, 1:00 am to Jacksonville, 1:30 am. From Jacksonville, 1:30 am to Savannah, 2:00 am.

From Savannah, 2:00 am to Jacksonville, 2:30 am. From Jacksonville, 2:30 am to Savannah, 3:00 am.

From Savannah, 3:00 am to Jacksonville, 3:30 am. From Jacksonville, 3:30 am to Savannah, 4:00 am.

From Savannah, 4:00 am to Jacksonville, 4:30 am. From Jacksonville, 4:30 am to Savannah, 5:00 am.

From Savannah, 5:00 am to Jacksonville, 5:30 am. From Jacksonville, 5:30 am to Savannah, 6:00 am.

From Savannah, 6:00 am to Jacksonville, 6:30 am. From Jacksonville, 6:30 am to Savannah, 7:00 am.

From Savannah, 7:00 am to Jacksonville, 7:30 am. From Jacksonville, 7:30 am to Savannah, 8:00 am.

From Savannah, 8:00 am to Jacksonville, 8:30 am. From Jacksonville, 8:30 am to Savannah, 9:00 am.

From Savannah, 9:00 am to Jacksonville, 9:30 am. From Jacksonville, 9:30 am to Savannah, 10:00 am.

From Savannah, 10:00 am to Jacksonville, 10:30 am. From Jacksonville, 10:30 am to Savannah, 11:00 am.

From Savannah, 11:00 am to Jacksonville, 11:30 am. From Jacksonville, 11:30 am to Savannah, 12:00 pm.

From Savannah, 12:00 pm to Jacksonville, 12:30 pm. From Jacksonville, 12:30 pm to Savannah, 1:00 pm.

From Savannah, 1:00 pm to Jacksonville, 1:30 pm. From Jacksonville, 1:30 pm to Savannah, 2:00 pm.

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From Savannah, 11:00 pm to Jacksonville, 11:30 pm. From Jacksonville, 11:30 pm to Savannah, 12:00 am.

JAS. A. ANDERSON

Clothing Company.

Prices Smashed to Smithereens Our Final and Greatest Cut.

A SALE WITHOUT AN EQUAL For the Next Thirty Days.

300 Men's Suits reduced from \$15 to \$10

350 Men's Suits reduced from \$12 to \$8

300 Men's Suits reduced from \$10 to \$6

Boys' and Children's Suits.

Extra Pants for Men and Boys

—AND—

Furnishing Goods Reduced 33 Per Cent.

In Our Tailoring Department Prices Are Reduced 25 Per Cent.

NOW IS YOUR OPPORTUNITY.

J. A. ANDERSON CLOTHING CO.

41 WHITEHALL ST.

SEABOARD AIR-LINE. SHORT LINE TO Norfolk and Old Point, Va., and Columbia, S. C. New Line to Charleston, S. C.

SCHEDULE IN EFFECT JUNE 26

General Insurance Agency.

TORRETT & M'CANDLESS,

Kimball House, No. 22 Decatur Street.

SEMI-ANNUAL STATEMENT FOR THE SIX MONTHS ENDING JUNE 30, 1892, OF the condition of the

U. S. BRANCH OF Phoenix Assurance Company OF LONDON, ENGLAND.

Organized under the laws of the State of New York made to the Governor of the State of Georgia, in pursuance of the laws of said state.

Principal Office 67 Wall Street, New York.

I.—CAPITAL.

1. Whole amount of capital stock, \$1,000,000.00

2. Stocks and bonds owned absolutely by the company, par value, \$1,500,000.00

3. Cash in hands of United States trustees, \$1,513,158.75

4. Cash in hands of agents and in course of transmission, \$22,007.40

5. Surplus beyond all liabilities, \$417,832.02

Total assets of the company, actual cash market value, \$2,230,540.77

II.—LIABILITIES.

1. Losses due and unpaid, \$9,083.00

2. Gross losses in process of adjustment, or in suspense, including all reported and unreported losses, \$400,383.00

3. Losses related, including interest, cost and other expenses, \$29,834.00

4. Total amount of claims for losses, \$439,466.00

5. Deduct reinsurance thereon, \$124,085.00

6. Net amount of unpaid losses (carried out), \$315,381.00

7. All other claims against the company, \$1,220,044.15

8. Surplus beyond all liabilities, \$220,540.77

Total liabilities, \$2,230,540.77

IV.—INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of cash premiums received, \$910,937.81

2. Received for interest, \$38,222.50

Total income actually received during the first six months in cash, \$949,160.31

V.—EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of expenses paid, including fees, salaries and commissions to agents and officers of the company, \$505,402.19

2. Paid for state, national and local taxes in this and other states, \$184,813.08

3. All other payments and expenditures, viz: general expenses, printing, stationery, advertising, traveling, rent, mail, postage, etc., \$40,515.15

4. American branches of foreign companies will please report amount to home offices during the first six months, \$33,022.50

Total expenditures during the first six months of the year in cash, \$1,070,632.92

A copy of the act of incorporation, duly certified, is of file in the office of the insurance commissioner.

STATE OF GEORGIA, COUNTY OF FULTON.—Personally appeared before the undersigned, M. B. Torbett, who, being duly sworn, deposes and says that he is the principal agent of the Phoenix Assurance Company of London, England, and that the foregoing statement is correct and true.

Sworn to and subscribed before me, this 25th day of August, 1892.

Name of State Agent—M. B. TORRETT, Notary Public Fulton County, Georgia.

Name of Agent at Atlanta—TORRETT & M'CANDLESS, 22 Kimball House, Decatur Street, Atlanta, Ga.

SEMI-ANNUAL STATEMENT FOR THE SIX MONTHS ENDING JUNE 30, 1892, OF the condition of the

Commercial Union Assurance Co.

OF LONDON.

Organized under the laws of the kingdom of Great Britain, made to the governor of the State of Georgia, in pursuance of the laws of said state.

Principal Office corner Pine and Williams Streets, New York.

I.—CAPITAL.

1. Whole amount of capital stock, \$1,000,000.00

2. Amount paid up in cash, \$1,250,000.00

3. Market value of real estate owned by the company, \$84,314.96

4. Stocks and bonds owned absolutely by the company, par value, \$1,574,000.00

5. Cash in hands of United States trustees, \$1,707,612.50

6. Cash in hands of agents and in course of transmission, \$103,097.43

7. Balance in hands of agents and in course of transmission, \$394,903.67

8. Amount of interest actually due and accrued and unpaid, \$17,083.44

9. Bills receivable, not matured, taken for Fire, Marine and inland risks, \$28,537.96

Total assets of the company, actual cash market value, \$3,550,000.00

II.—LIABILITIES.

1. Losses due and unpaid, \$9,083.00

2. Gross losses in process of adjustment, or in suspense, including all reported and unreported losses, \$400,383.00

3. Losses related, including interest, cost and other expenses, \$29,834.00

4. Total amount of claims for losses, \$439,466.00

5. Deduct reinsurance thereon, \$124,085.00

6. Net amount of unpaid losses (carried out), \$315,381.00

7. All other claims against the company, \$1,220,044.15

8. Surplus beyond all liabilities, \$220,540.77

Total liabilities, \$2,230,540.77

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1. Amount of expenses paid, including fees, salaries and commissions to agents and officers of the company, \$505,402.19

2. Paid for state, national and local taxes in this and other states, \$184,813.08

3. All other payments and expenditures, viz: general expenses, printing, stationery, advertising, traveling, rent, mail, postage, etc., \$40,515.15

4. American branches of foreign companies will please report amount to home offices during the first six months, \$33,022.50

Total expenditures during the first six months of the year in cash, \$1,070,632.92

A copy of the act of incorporation, duly certified, is of file in the office of the insurance commissioner.

STATE OF GEORGIA, COUNTY OF FULTON.—Personally appeared before the undersigned, M. B. Torbett, who, being duly sworn, deposes and says that he is the principal agent of the Commercial Union Assurance Company of London, England, and that the foregoing statement is correct and true.

Sworn to and subscribed before me, this 25th day of August, 1892.

Name of State Agent—M. B. TORRETT, Notary Public Fulton County, Georgia.

Name of Agent at Atlanta—TORRETT & M'CANDLESS, 22 Kimball House, Decatur Street, Atlanta, Ga.

SEMI-ANNUAL STATEMENT FOR THE SIX MONTHS ENDING JUNE 30, 1892, OF the condition of the

Commercial Union Assurance Co.

OF LONDON.

Organized under the laws of the kingdom of Great Britain, made to the governor of the State of Georgia, in pursuance of the laws of said state.

Principal Office corner Pine and Williams Streets, New York.

I.—CAPITAL.

1. Whole amount of capital stock, \$1,000,000.00

2. Amount paid up in cash, \$1,250,000.00

3. Market value of real estate owned by the company, \$84,314.96

4. Stocks and bonds owned absolutely by the company, par value, \$1,574,000.00

5. Cash in hands of United States trustees, \$1,707,612.50

6. Cash in hands of agents and in course of transmission, \$103,097.43

7. Balance in hands of agents and in course of transmission, \$394,903.67

8. Amount of interest actually due and accrued and unpaid, \$17,083.44

9. Bills receivable, not matured, taken for Fire, Marine and inland risks, \$28,537.96

Total assets of the company, actual cash market value, \$3,550,000.00

II.—LIABILITIES.

1. Losses due and unpaid, \$9,083.00

2. Gross losses in process of adjustment, or in suspense, including all reported and unreported losses, \$400,383.00

3. Losses related, including interest, cost and other expenses, \$29,834.00

4. Total amount of claims for losses, \$439,466.00

5. Deduct reinsurance thereon, \$124,085.00

6. Net amount of unpaid losses (carried out), \$315,381.00

7. All other claims against the company, \$1,220,044.15

8. Surplus beyond all liabilities, \$220,540.77

Total liabilities, \$2,230,540.77

IV.—INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of cash premiums received, \$910,937.81

2. Received for interest, \$38,222.50

Total income actually received during the first six months in cash, \$949,160.31

V.—EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of expenses paid, including fees, salaries and commissions to agents and officers of the company, \$505,402.19

2. Paid for state, national and local taxes in this and other states, \$184,813.08

3. All other payments and expenditures, viz: general expenses, printing, stationery, advertising, traveling, rent, mail, postage, etc., \$40,515.15

4. American branches of foreign companies will please report amount to home offices during the first six months, \$33,022.50

Total expenditures during the first six months of the year in cash, \$1,070,632.92

A copy of the act of incorporation, duly certified, is of file in the office of the insurance commissioner.

STATE OF GEORGIA, COUNTY OF FULTON.—Personally appeared before the undersigned, M. B. Torbett, who, being duly sworn, deposes and says that he is the principal agent of the Commercial Union Assurance Company of London, England, and that the foregoing statement is correct and true.

Sworn to and subscribed before me, this 25th day of August, 1892.

Name of State Agent—M. B. TORRETT, Notary Public Fulton County, Georgia.

Name of Agent at Atlanta—TORRETT & M'CANDLESS, 22 Kimball House, Decatur Street, Atlanta, Ga.

3. All other assets, both real and personal, not included hereinbefore, \$11,766.22

Total assets of the company, actual cash market value, \$3,570,824.79

II.—LIABILITIES.

1. Losses due and unpaid and gross losses in process of adjustment, or in suspense, including all reported and unreported losses, \$400,383.00

2. Losses related, including interest, cost and other expenses, \$29,834.00

3. Total amount of claims for losses, \$439,466.00

4. Deduct reinsurance thereon, \$124,085.00

5. Net amount of unpaid losses (carried out), \$315,381.00

6. Amount of borrowed money, \$7,815.17

7. The amount of reserve for reinsurance, \$1,067,151.24

8. All other claims against the company, \$1,220,044.15

9. Surplus beyond all liabilities, \$400,641.03

Total liabilities, \$3,570,824.79

IV.—INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of cash premiums received, \$1,323,622.03

2. Received for interest, \$38,222.50

3. Income received from all other sources, \$18,631.06

Total income actually received during the first six months in cash, \$1,380,475.59

V.—EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of losses paid, including fees, salaries and commissions to agents and officers of the company, \$1,102,106.34

2. Paid for state, national and local taxes in this and other states, \$339,348.35

3. Paid for state, national and local taxes in this and other states, \$54,025.62

4. American branches of foreign companies will please report amount to home offices during the first six months, \$33,022.50

Total expenditures during the first six months of the year in cash, \$1,018,522.81

A copy of the act of incorporation, duly certified, is of file in the office of the insurance commissioner.

STATE OF NEW YORK, CITY AND COUNTY OF NEW YORK.—Personally appeared before the undersigned, Charles Sewall, who, being duly sworn, deposes and says that he is the manager of the Commercial Union Assurance Company, (Limited) of London, England, and that the foregoing statement is correct and true.

Sworn to and subscribed before me, this 28th day of July, 1892.

Name of State Agent—JOHN A. HILLERY, Commissioner for Georgia in New York.

Name of Agent at Atlanta—TORRETT & M'CANDLESS, 22 Kimball House, Decatur Street.

SEMI-ANNUAL STATEMENT FOR THE SIX MONTHS ENDING JUNE 30, 1892, OF the condition of the

ORET FIRE INS. CO.,

OF HARTFORD.

Organized under the laws of the State of Connecticut, made to the Governor of the State of Georgia, in pursuance of the laws of said state.

Principal Office, 5 Haynes Street, Corner Pearl Street, Hartford, Conn.

I.—CAPITAL.

1. Whole amount of capital stock, \$1,000,000.00

2. Amount paid up in cash, \$1,000,000.00

3. Market value of real estate owned by the company, \$24,314.96

4. Stocks and bonds owned absolutely by the company, \$1,574,000.00

5. Cash in hands of United States trustees, \$1,707,612.50

6. Cash in hands of agents and in course of transmission, \$103,097.43

7. Balance in hands of agents and in course of transmission, \$394,903.67

8. Amount of interest actually due and accrued and unpaid, \$17,083.44

9. Bills receivable, not matured, taken for Fire, Marine and inland risks, \$28,537.96

Total assets of the company, actual cash market value, \$3,550,000.00

II.—LIABILITIES.

1. Losses due and unpaid, \$9,083.00

2. Gross losses in process of adjustment, or in suspense, including all reported and unreported losses, \$400,383.00

3. Losses related, including interest, cost and other expenses, \$29,834.00

4. Total amount of claims for losses, \$439,466.00

5. Deduct reinsurance thereon, \$124,085.00

6. Net amount of unpaid losses (carried out), \$315,381.00

7. All other claims against the company, \$1,220,044.15

8. Surplus beyond all liabilities, \$220,540.77

Total liabilities, \$2,230,540.77

IV.—INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of cash premiums received, \$910,937.81

2. Received for interest, \$38,222.50

Total income actually received during the first six months in cash, \$949,160.31

V.—EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of expenses paid, including fees, salaries and commissions to agents and officers of the company, \$505,402.19

2. Paid for state, national and local taxes in this and other states, \$184,813.08

3. All other payments and expenditures, viz: general expenses, printing, stationery, advertising, traveling, rent, mail, postage, etc., \$40,515.15

4. American branches of foreign companies will please report amount to home offices during the first six months, \$33,022.50

Total expenditures during the first six months of the year in cash, \$1,070,632.92

A copy of the act of incorporation, duly certified, is of file in the office of the insurance commissioner.

STATE OF CONNECTICUT, COUNTY OF HARTFORD.—Personally appeared before the undersigned, Daniel Morrison, who, being duly sworn, deposes and says that he is the principal agent of the Oret Fire Insurance Company, and that the foregoing statement is correct and true.

Sworn to and subscribed before me, this 25th day of August, 1892.

Name of State Agent—DANIEL MORRISON, Commissioner for Georgia in Connecticut.

Name of Agent at Atlanta—TORRETT & M'CANDLESS, 22 Kimball House, Decatur Street, Atlanta, Ga.

SEMI-ANNUAL STATEMENT FOR THE SIX MONTHS ENDING JUNE 30, 1892, OF the condition of the

ORET FIRE INS. CO.,

OF HARTFORD.

Organized under the laws of the State of Connecticut, made to the Governor of the State of Georgia, in pursuance of the laws of said state.

Principal Office, 5 Haynes Street, Corner Pearl Street, Hartford, Conn.

I.—CAPITAL.

1. Whole amount of capital stock, \$1,000,000.00

2. Amount paid up in cash, \$1,000,000.00

3. Market value of real estate owned by the company, \$24,314.96

4. Stocks and bonds owned absolutely by the company, \$1,574,000.00

5. Cash in hands of United States trustees, \$1,707,612.50

6. Cash in hands of agents and in course of transmission, \$103,097.43

7. Balance in hands of agents and in course of transmission, \$394,903.67

8. Amount of interest actually due and accrued and unpaid, \$17,083.44

9. Bills receivable, not matured, taken for Fire, Marine and inland risks, \$28,537.96

Total assets of the company, actual cash market value, \$3,550,000.00

II.—LIABILITIES.

1. Losses due and unpaid, \$9,083.00

2. Gross losses in process of adjustment, or in suspense, including all reported and unreported losses, \$400,383.00

3. Losses related, including interest, cost and other expenses, \$29,834.00

4. Total amount of claims for losses, \$439,466.00

5. Deduct reinsurance thereon, \$124,085.00

6. Net amount of unpaid losses (carried out), \$315,381.00

7. All other claims against the company, \$1,220,044.15

8. Surplus beyond all liabilities, \$220,540.77

Total liabilities, \$2,230,540.77

IV.—INCOME DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of cash premiums received, \$910,937.81

2. Received for interest, \$38,222.50

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V.—EXPENDITURES DURING THE FIRST SIX MONTHS OF THE YEAR 1892.

1. Amount of expenses paid, including fees, salaries and commissions to agents and officers of the company, \$505,402.19

2. Paid for state, national and local taxes in this and other states, \$184,813.08

3. All other payments and expenditures, viz: general expenses, printing, stationery, advertising, traveling, rent, mail, postage, etc., \$40,515.15

4. American branches of foreign companies will please report amount to home offices during the first six months, \$33,022.50

Total expenditures during the first six months of the year in cash, \$1,070,632.92

A copy of the act of incorporation, duly certified, is of file in the office of the insurance commissioner.

STATE OF CONNECTICUT, COUNTY OF HARTFORD.—Personally appeared before the undersigned, Daniel Morrison, who, being duly sworn, deposes and says that he is the principal agent of the Oret Fire Insurance Company, and that the foregoing statement is correct and true.

Sworn to and subscribed before me, this 25th day of August, 1892.

Name of State Agent—DANIEL MORRISON, Commissioner for Georgia in Connecticut.

Name of Agent at Atlanta—TORRETT & M'CANDLESS, 22 Kimball House, Decatur Street, Atlanta, Ga.

5. All other payments and expenditures, viz: general expense account, \$7,055.46

Total expenditures during the first six months of the year in cash, \$750,773.34

A copy of the Act of Incorporation, duly certified, is of file in

THE SUPREME COURT

Decisions Rendered Tuesday, August 23, 1892.

REPORTED FOR THE CONSTITUTION

By Peoples and Stevens, Reporters of the Supreme Court of Georgia.

Henry v. The Central Railroad & Banking Co., Carriers. Presumptions. Damages. Amendment. Nonsuit. Before Judge Miller. Bibb superior court.

1. Where it does not appear either that the carrier received the goods as in bad order or that they were in fact in bad order when received, the presumption is that they were in good order.

2. If, by an actual gale and receipt of the price, the consignee protects himself against any loss resulting from the goods being damaged in transit, he cannot recover of the carrier anything beyond nominal damages and costs. That he may be liable on account of warranty or fraud in making the sale, to refund to the purchaser a part of the price, will not entitle him to proceed against the carrier before refunding on the contingency that this liability may some time be enforced.

3. If he has thus protected himself as to a part of the consignment but not as to the whole, he may recover actual damages as to the part on which he has sustained such damage.

4. A declaration by a consignee against a carrier for damages which have never been sustained by the plaintiff, is not amendable by introducing as a use of the action a purchaser from him of the goods more than they were worth, has sustained damage.

5. Inasmuch as the evidence showed a cause of action for a small amount on account of damage to that part of the consignment which was unloaded in Macon and stopped there, the court erred in granting a nonsuit. Judgment reversed.

6. L. Anderson, for plaintiff in error.

The Central Railroad & Banking Co. v. Passmore, Railroad Negligence. Before Judge Jones. City court of Macon.

1. A railway company permitting by contract or otherwise another railway company to use a section of its main line, not at a terminal point but to reach such point, is liable to one of its own employees for a personal injury resulting to him from the negligence of the latter company in running its train over and upon the section used in connection with the principal of Macon & Augusta R. R. v. Mayes, 49 Ga. 355, applies.

2. There was no error in charging the jury, or in refusing to charge as requested. The verdict was not excessive, and there was no error in refusing a new trial.

3. F. Lyon, for plaintiff in error.

Dessau & Bartlett, contra.

Russell v. Faulkner & Son, Attachment. Practice. Before Judge Ross. City court of Macon.

1. Under section 3308 of the code, the declaration in a case commenced by attachment must be filed with the return of the writ of attachment. The return term of the writ of attachment is the return term of the writ of attachment.

2. That the levying officer failed to make an actual return of the attachment with its return term, affords no reason why the declaration should not be filed as the statute requires, especially where the delay of the officer is requested by the plaintiff or his counsel and no proceeding is instituted to compel the officer to make a return.

3. That one of the plaintiff's attorneys, a member of a firm practicing in the court, was prevented by providential causes from attending the court during the term of the attachment was the matter of his firm who had the particular case in charge, and the other members were not informed of the case when the attachment was returnable and did not expect and was not expected by his copartner to look after the case or give it any attention. Both members being practitioners in the same court and each of them being equally the plaintiff's counsel in the case, their clients are entitled to the services of the one present in the absence of the other.

4. The declaration not having been filed till the second term, that is the term succeeding that to which the attachment was returnable, the court erred in dismissing the attachment because the declaration was filed too late.

Judgment reversed.

Hardeman, Davis & Turper, by brief, for plaintiff in error.

Butler v. The State, Liquor. Statutes. Constitutional law. Before Judge Ross. City court of Macon.

1. The act of August 11, 1891, which prohibits the sale of spirituous alcoholic or malt liquor within a radius of three miles of any church, or schoolhouse, is not unconstitutional as to the matter not embraced in the provisions, for inconsistency of the title, or for want of uniformity in its operation on account of discriminating between sales made in the country and those made in incorporated towns or cities, or because of any conflict with the general local option law, the act being a general not local act. Nor is it unconstitutional because it does, or may, incidentally operate in one or more counties, by reason of the number and location of the churches and schoolhouses within the same, prohibitory for the time being any sale whatever of the liquor mentioned in the act within the boundaries of such counties and outside of incorporated towns and cities.

2. It does not affirmatively appear from the journals or otherwise that the general assembly was not in legal session at the time the act was passed, or that the act was not read three times and on three separate days in each house. The entries on the journals are sufficient to uphold the act as constitutional with respect to the time and mode of passing it.

The court did not err in denying a new trial. Judgment affirmed.

H. W. Patterson, for plaintiff in error.

W. H. Felton, Jr., solicitor general, by brief, contra.

Harrison v. Perry, Justices and Justice court. Judgments. Before Judge Martin. Harris superior court.

When a notary public who is ex-officio justice of the peace is disqualified, or refuses to serve, in a given case, or his term of office has expired, after an appeal from his judgment has been entered, the other justice of the district may preside in a trial of the appeal before a jury, especially when neither of the parties before verdict makes any objection to his presiding.

Judgment affirmed.

H. O. Cameron by T. Y. Crawford, for plaintiff in error.

J. B. Worrell, contra.

Bonner v. Hasty et al. Wills. Estates. Titles. Before Judge Martin. Harris superior court.

Under the rule that a devise of the rents and profits of land is a devise of the land itself, a will in which the testator declares a desire that his daughter remain upon and enjoy as her home certain described premises, and that she, together with his granddaughter, enjoy the rents and profits of said premises with his grandson, if compatible with his wishes, by agreement with the daughter to supervise and assist her and to realize with her, during his natural life, the rents and profits, but he in no event to be compelled to encumber himself with this care, and should be deemed to do so then the person named in the will as executor being designated to supervise all of the daughter's interests, passed to the daughter and granddaughter, as tenants in common, title to the land in fee subject to a special right in the daughter to remain upon and enjoy the premises as a home and to possess and control the same so long as by any possibility she could do so, that is during the natural life, and subject also to a life-estate if the grandson to the extent indicated by the will, in case he elected to accept his grandfather's bounty on the terms prescribed.

2. During the life of the daughter, the granddaughter is not entitled to partition nor to be admitted into actual possession against the will of the daughter. Her right is only to take and receive her due share of the rents and profits.

3. The court did not err in overruling the auditor's report in so far as any present recovery of a share in the premises is concerned, but did err in overruling it in so far as the report related to title, and the decree was erroneous in declaring that the granddaughter has no interest in the land and that the daughter exclusively has title to the same in fee simple.

Judgment reversed.

H. A. Russell, J. M. Mobley and G. J. Thornton, for plaintiff in error.

L. L. Stanford and Willis & Persons, contra.

Hamilton, survivor. v. Willford. Vendor and purchaser. Title. Contract. Evidence. Practice. Charge of error. Lien. Estoppel. Before Judge Fish. Dooly superior court.

1. To make an equitable plea setting up a this performance of that contract transmits against a subsequent vendee from the same

vendor, the plea must allege that the first purchaser had possession of the premises when the second acquired his title, or that the latter had notice, actual or constructive, of the outstanding part title, or that for some reason the second purchaser was not a bona fide purchaser for value. An equitable plea otherwise sufficient would not be available without making the vendor a party, if anything remained to be done to complete the performance of the contract on the part of the first purchaser.

2. When the bill of exceptions complains of the admission of parol testimony objected to, it should be pointed out. Merely to say that it was relative to certain accounts is not sufficient.

3. The court's charge on the subject of possession should be understood as referring to possession taken and held under the parol contract of purchase, and so understood there was no error in the charge on the subject complained of.

4. For a mechanic and material-man to proceed by action to foreclose his recorded lien against certain premises as the property of another person, for work done and material furnished in improving the premises, is inconsistent with ownership and title, legal or equitable in the mechanic and material-man himself. The declaration filed in a court of record to foreclose the lien is a solemn admission in judicial fact that the true relation of the parties to the premises is not that of owner, but is that of a creditor of the owner, and so long as that admission is not withdrawn and is not corrected by discharging the action to foreclose the lien, or in some other effective way, the plaintiff in the action is estopped from asserting title in himself adverse to the title of his alleged debtor or of a vendee to whom such debtor has conveyed the premises by deed.

Judgment reversed.

G. W. Wooten and Martin & Smith, for plaintiff in error.

F. Powell and Pate & Warren, by brief, contra.

Harris & Mitchell v. McArthur, survivor. Action. Amendment. Promissory note. Admission. Practice. Evidence. Charge of error. Before Judge Roberts. Dooly superior court.

1. Where action is brought on a lease and upon the absolute promissory notes, maturing at different dates, given as a consideration for the lease, one of the stipulations in the lease being that the notes, whether mature or not, shall become due and be paid as fast as timber from the leased premises shall be cut, the declaration in its original form, alleging that enough timber had been cut to make the notes mature as to a specified sum, the same is amendable so as to allege a less sum, and the amendment need not point out or specify which particular notes have matured, inasmuch as those earliest falling due on their face will be those to which the amendment applies, and this can be ascertained from the notes themselves, a copy of them being annexed to the declaration.

2. When a party admits the truth of facts to which an absent witness will testify, the party being made to avoid a continuance under section 3523 of the code, he has no right, after the opposite party has closed his evidence, to withdraw the admission because the witness is no longer absent but has come into court.

3. Errors assigned on the admission and rejection of testimony, to adjudicate upon which requires an examination of the evidence set out in the bill of exceptions, will not be considered where such evidence is not briefed as required by the statute but consists in part of numerous documents, such as letters and copies in full instead of being abstracted so as to present the substance of the material parts only. Nor will this court determine whether the verdict was contrary to evidence or not.

4. Defendants below having requested the presiding judge on the final trial to give his charge to the jury in writing, it was error not to write out and read to the jury whatever instructions the court had to give them, and to direct orally a verdict for the plaintiff against the defendant for a specific sum, and require a member of the jury to sign as foreman a verdict accordingly. The words "charges" in section 244 of the code embrace any and all final instructions addressed by the court to the jury for the purpose of governing their action in making a verdict, and make a final disposition of the case in favor of one litigant or the other.

Judgment reversed.

Steed & Wimberly and Eason & Swain, for plaintiff in error.

J. E. Wooten and Smith & Clements, contra.

Griffin v. Lee, Title. Possession. Estoppel. Trust. Limitation. Witness. Before Judge Atkinson. Dooly superior court.

1. Two adjoining lots of land being included in the same bond for titles and afterwards in the same conveyance executed in pursuance of such bond, but not described as two adjoining lots or as one plantation, settlement or tract, actual possession of one of the lots recording of the deed is not such possession of the other as will serve to establish a title by prescription as to the latter.

2. Under the facts of this case, the plaintiff below was not estopped; nor was she accountable in equity out of the lot which she recovered, either for improvements or for any part of the proceeds of the sale made by her nominal trustee which he had applied to her use, such proceeds not amounting to more than the value of the other lot which the defendant in the action succeeded, by prescription, in holding against her. It would not be equitable for the defendant to thus credit for a part of the proceeds of sale arising from both lots loss in amount than the value of the one which defendant retains and continues to enjoy.

3. Inasmuch as by the conveyance executed in 1874 to effectuate an executor's sale made in December, 1868, the title vested directly in the plaintiff, though the conveyance was to another as trustee for her, she being then a married woman, the trust was executed on instant, and when the order of sale was obtained from the chancellor in 1873, there was no title in the trustee, and the sale subsequently made by him under that order was not one to which the act of 1876, chapter 2025 (b), applies. Consequently, the bar of three years prescribed by that act is not available as against the assertion of the plaintiff's title in this action.

4. Whether certain witnesses were competent or incompetent, their testimony being immaterial to the result of the case upon its substantial merits in view of the finding made by the jury.

There was no error in refusing a new trial. Judgment affirmed.

DeLacy Bishop and A. C. Pate, for plaintiff in error.

E. A. Smith and Martin & Smith, contra.

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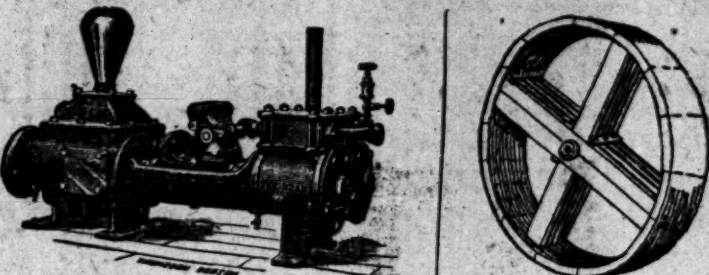
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